

APPENDIX. 1



Ministry of Housing,  
Communities &  
Local Government

# A new deal for social housing

A Consultation



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## **A new deal for social housing**

### **Introduction**

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

The consultation is divided into 5 parts:

Part 1: Ensuring homes are safe and decent

Part 2: Effective resolution of complaints

Part 3: Empowering residents and strengthening the Regulator

Part 4: Tackling stigma and celebrating thriving communities

## Part 5: Expanding supply and supporting home ownership

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

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

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

### About you

#### 1. Are you responding:

- On behalf of an organisation
- As a private individual

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

#### 2. Do you live in social housing? This includes tenants, leaseholders and shared owners.

- Yes
- No

#### 3. What age category do you belong to?

- |                                |                                      |
|--------------------------------|--------------------------------------|
| <input type="checkbox"/> 16-24 | <input type="checkbox"/> 45-54       |
| <input type="checkbox"/> 25-34 | <input type="checkbox"/> 55-64       |
| <input type="checkbox"/> 35-44 | <input type="checkbox"/> 65 and over |

#### 4. Where do you live?

- |  |   |
|--|---|
| <input type="checkbox"/> North East      | <input type="checkbox"/> London                 |
| <input type="checkbox"/> North West      | <input type="checkbox"/> South West             |
| <input type="checkbox"/> Midlands        | <input type="checkbox"/> South East             |
| <input type="checkbox"/> East of England | <input type="checkbox"/> Other (please specify) |

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

**About you - organisation**

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

- |  |   |
|--|---|
| <input type="checkbox"/> Local Authority     | <input type="checkbox"/> Tenant Management Organisation |
| <input type="checkbox"/> Housing Association | <input type="checkbox"/> Trade Association              |
| <input type="checkbox"/> Cooperative         | <input type="checkbox"/> Tenant Representation Group    |
| <input type="checkbox"/> Other               |   |

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

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

**London Borough of Wandsworth**

In addition to completing these consultation questions have any documents to support your response please attach them to this survey

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

[Martina.kane@richmondandwandsworth.gov.uk](mailto:Martina.kane@richmondandwandsworth.gov.uk)

## **A new deal for social housing**

### **Chapter one - Ensuring homes are safe and decent**

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

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

Residents should feel confident and enabled to raise safety concerns and should be able to easily access information on health and safety matters that is clear. However, ultimately safety of residents is a landlord responsibility and standards should assist landlords in communicating what is required and ultimately enforcing and improving standards (e.g. ensuring that communal areas are free from obstruction).

The Council would support and actively seeks to find different ways of communicating with its residents and "getting the message across". It recognises that use of social media and other approaches which allow for more immediate response and repetition of key messages is important.

There may be reason to review particular service standard requirements in relation to resident involvement that are set by the regulator. It is always useful if there is best practice guidance and charter marks that a social landlord might sign up to.

However, it is hoped that this consultation will not lead to detailed guidance and requirements which may hamstring and potentially limit the ways that a landlord would seek to involve residents.

In Wandsworth we believe we have structured, effective and robust resident participation arrangements in place which is one way which we capture resident views and concerns. The formal structure in Wandsworth consists of:

- Proactive and positive support for the establishment of Resident Associations with RAs providing a structured way to raise concerns with our housing management services. Four Resident Participation Officers (RPOs) are employed to support RAs. RAs in Wandsworth can include in their membership private tenants, members of households who are not council tenants, leaseholders as well as council tenants who make up of 50% of our council residents.

- Area Housing Panels – there are four area based housing panels which provide a forum for RA representatives to review performance and to raise issues which will be of interest to the wider council resident community.
- Borough Resident Forum – the AHPs elect representatives to sit on the BRF with the BRF receiving reports and briefings on a range of policy, implementation and performance matters. In recent months this has included regular briefings on fire safety measures that are being undertaken.

There is also a range of more informal approaches to seek and hear resident views:

- We undertake regular representative satisfaction surveys including by topic (e.g. repairs).
- We seek to include residents in the procurement process of contractors.
- Councillors arrange and undertake unannounced estate inspections which will clearly pick up matters of health and safety which the Area Housing Office must address.
- Slowly we are moving toward a reporting regime which increasingly can be done on line or through a resident's mobile phone – to report for instance a communal repair that is required, to report fly tipping or a poor cleaning service.
- We support Housing Community Champions (where no RA is in place) to promote a better community spirit through initiatives or issues they wish to address.
- We also set up Working Groups particularly to regularly review our participation structures to ensure they remain fit for purpose.

An important and key element of scrutiny is also provided by our lead and ward councillors. The most basic way is raising issues through members enquiries on behalf of their ward residents. Such enquiries require a response locally of 10 working days with over 95% of enquiries responded to within this time limit. A key factor that we would ask the consultation to consider is that Ward Councillors will also raise enquiries on behalf of housing associations tenants either directly with the HA or through the Council department.

There are further council structures that provide scrutiny on performance, key actions and policy:

- Local councillors form the Housing Regeneration and Overview and Scrutiny Committees (HROSC) are appointed to make suggestions to the Executive decision makers, scrutinise Executive decisions and assist in developing policy.
- Deputations can be made to the HROSC and reports submitted by residents to support their representations. Additionally, petitions can be submitted which would again require a response. In recent months such deputations and reports have particularly focused on the response to the Grenfell fire tragedy.
- The BRF and Area Housing Panels are chaired by lead council members which provides a direct route to the Council's decision makers.

Co-operative or Tenant Management Organisations (TMO) also have a forum which enables all TMOs to monitor their performance and raise and discuss issues of importance to them. This forum meets four times a year and is administered by the housing service but led by the TMOs who vote in a Chairperson, Deputy Chair and Secretary.

Ensuring residents are well informed about building safety is vital and Wandsworth have produced a Home Safe booklet which provides residents with detailed safety information and how to report their concerns. This information is also available on our website. Where there are concerns residents are made aware as soon as possible and advised what action they and the Council must take. Residents are also made aware of any changes to fire evacuation strategies, where appropriate. Residents are currently provided with their block Fire Risk Assessments (FRA) upon request.

.....

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

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

- Yes
- No
- Not sure

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

It would seem logical to have the same health and safety mandatory requirements for private and social landlords. The Council are currently putting in place an electrical testing scheme for all blocks. However, a five-year testing regime would be an additional financial cost to the Council which has not been budgeted for. Whether the Government would consider this a new burden which required some additional funding is something that Wandsworth council would urge the Government to consider.

There remains an issue more particular to council landlords with blocks and estates having owner occupier and away leaseholders. It would seem reasonable that the same checks required for council tenants should equally apply to leaseholders not

least to ensure that the majority of flats in a tower block for instance have up to date checks. However, whilst incentives may be offered to leaseholders to have such checks done it is unclear how effective a voluntary regime would be. The Council would suggest that the MHCLG propose some legislative change which would allow access or require a leaseholder to provide documentary evidence that checks, such as gas safety, have been carried out?

.....

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

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

- Yes
- No**
- Not sure

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

Over the last few years Wandsworth have invested £63.5 million to upgrade Council homes, blocks and estates through the Council's Decent Homes Plus Programme and Environmental Estate Improvement Programme. Under the current standards 100% of Wandsworth Council homes meet the decency standard. We plan to invest more than £153m into these programmes between 2017 - 2022 and investigate options to increase investment. We have committed £230 million to support the Council's development programme and estate regeneration plans.

We believe the current decency standards are sufficient as a baseline. Clearly good social landlords will seek to go beyond this basic standard as Wandsworth do. However, the decent standard is clear, established with compliance being something that can be reported on now. The Government may wish to consider whether other broader standards could be articulated in revised service standards, but these should not necessarily be binding but oblige landlords to consider how other improvements could be delivered (e.g. to improve health and safety in a block, address ASB issues occurring which may be attributed to bad design).

In respect to fire safety there remains an ongoing focus as we review our Fire Risk Assessments and undertake additional works to improve our blocks, including installing sprinkler systems for our most vulnerable residents and to high-rise blocks.



Finally, social landlords must have the resources and business plans in order to deliver current and improved standards. A key factor in delivering beyond the decent homes standard is to ensure that social landlords are running a sound financial business which has at its heart the interests of its council residents.

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

- Yes
- No
- Not sure

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

Since the Grenfell Tower disaster there has been pressure on local authorities to improve fire safety measures in high-rise blocks. There are a number of challenges that any social landlord will face such as their ability to require leaseholders to change doors which are non-compliant with fire safety standards. There are also anomalies as to the need to provide additional fire safety measures such as the retrofitting of sprinkler systems. Sprinklers are recommended as best practice and in particular in tower blocks to meet current building regulations.

However, it would be welcome if the Government gave clearer direction on such matters so that action can be taken that would improve health and safety standards in the social housing sector. It would also be welcome if the Government considered supporting councils and their tenant and leasehold residents with the cost of such measures, including considering financially supporting councils to do what Wandsworth is proposing.

In relation to new build housing, the construction industry needs clear guidance and what ensures a safe home must be made clear in the building regulations. We would want to see a full review of the building regulations, as we do not believe they are clear.

**A new deal for social housing**

**Chapter two - Effective resolution of complaints**

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

Alternative dispute resolution and mediation services can be critical in allowing issues to be resolved swiftly and locally, while sustaining positive relationships between the parties involved. We are considering whether and how we might

strengthen the mediation available for residents and landlords after initial attempts at resolution have failed.

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

- Yes
- No
- Not sure**

If you answered yes, you can provide suggestions below.

We would refer to our response set out in Question 10 which sets out the more formal and less formal ways that a resident or groups of residents can make representations to their housing management service where they are not happy about the service received. Elsewhere we also highlight the important role council members can play in mediation both where this is done on behalf of both Council and private registered provider residents.

Whilst the principle of a mediation service sounds reasonable the concern for a social landlord would be in respect to funding, capacity and sustaining an all new service. This would suggest as the SHGP does elsewhere a review of the HOS and regulator roles.

Additional to this Wandsworth has a clear and transparent complaints process which also sets out escalation and review. So, if at Stage 1 a complainant is not happy about a response this can be escalated to a more senior member of staff who will determine whether the complaint has or has not been dealt with adequately. The correspondence also clearly sets out the opportunity to refer a matter to the Housing Ombudsman and also the opportunity for a lead housing council member to seek to mediate and resolve a matter (a service also offered to housing association tenants and shared owners).

The Wandsworth housing service also prides itself on being accessible. So, whilst residents can raise issues by email and increasingly by text, our council residents can also contact us by phone and speak to an experienced member of staff.

Such approaches may seem “bread and butter” but getting these basics right is vital.

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

*the process of seeking redress took too long, and that the “democratic filter” contributed to delays.*

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

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

We do feel that there does need to be a period where some form of mediation may lead to a resolution of an issue. However, that period could be shorter, but this raises further issues. This would potentially increase the HO workload and having a turnaround of six months to deal with an unresolved complaint is not acceptable. It is also not acceptable that any additional costs relating to additional staffing required falls on social landlords whose resident base have no reason to use such a service on a regular basis. Therefore, Wandsworth would advocate that the service is at least in part funded through penalties imposed on social landlords who have not managed to resolve complaints at an earlier stage where this should have happened.

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

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

The Council would comment and raise a concern about the use of what might be termed bureaucratic language to describe a role that council members and MPs have been fulfilling for many years (representing the interests of their residents).

We would support clear guidance on the purpose and function of ward members representing their residents on housing matters. Also, such information must set out what might and might not be achieved through intervention (e.g. a landlord might be doing nothing more than undertaking its landlord function even though a resident does not agree with this). Making training available through the HO service could also be considered.

Currently you may, for instance, have a resident who seeks a local resolution by approaching an MP (not local to where the person lives) who has no knowledge of the area where the person lives or indeed the social landlord in question. This

appears to be spreading the net far too widely. Therefore, there may be merit in seeking support from council's to better identify certain Councillors who are willing to take on a designated role to develop a greater understanding of housing issues.

This is the approach Wandsworth takes with two Councillors who can act as Designated Persons (each is a Deputy to the Cabinet Member for Housing) and are named in all Step 3 complaint responses sent by the Chief Executive.

This would not stop someone from approaching their ward councillor for advice and assistance, but we believe provides a more structured way of dealing with complaints that may be complex and unresolved.

Finally, it is likely to be the case that the designated person role needs to be better understood more widely. For instance, it is very unclear as to whether housing associations promote the use of a designated person to resolve a dispute. There may also be some merit in assessing the effectiveness of more independent resolution services albeit this is not necessarily something Wandsworth would support given that this is a role already undertaken by the HO service. We are also considering if there is a case for an awareness campaign to support social residents to understand their rights to seek redress and to know how to make complaints and escalate them where necessary.

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

We agree with the proposal to include information on how to make a complaint as part of every contract for a new letting.

All advice and support should be easily accessible and well publicised, including (but not limited to) the use of online forms. Information regarding the complaints procedure should also be made explicit in the tenancy agreement.

A Government developed standard and code of practice which social landlords could sign up to would also act as a means of setting out what is expected of housing providers and would ensure that everyone is clear of their responsibilities, and residents clearly sighted on standards and right to redress.

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

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

Information on other agencies that residents can access for advice should be posted on a social landlords' web pages and this should be prominent.

It should also be beholden on social landlords to have a complaints process which is fair and has clear lines of escalation and review as Wandsworth Council's process has. Such matters should be set out in publicised service standards.

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

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

A code of practice/charter mark could be developed, for complaints handling but this should not be overly prescriptive.

For Wandsworth as set out elsewhere the timescales for responses are clear and publicised and this should be a requirement for all social landlords. The Government may wish to consider whether current regulatory service standards are sufficient. However, any more national guidelines or requirements set should not be so restrictive as to work against established and effective local complaints procedures.

The Council believes that there should be a reasonable time frame for complaints to be dealt with which can be extended depending on the complexity of the case. For example, under its published three step corporate complaints procedure (see question 18), Wandsworth Council aims to respond to and resolve complaints at each step within 10 working days. However, some complex complaints require more time to allow for a fuller investigation, so the 10-day response period can get extended, often at Step 2 or Step 3.

Learning from complaints is also important as they could potentially help address any wider systemic issues within housing, ensuring the continued delivery of a quality service. Again, such matters can be covered in an annual report to council residents which Wandsworth Council publishes on its website and through its Homelife publication, distributed to all 35,000 residents. This assessment of performance is put together with council residents.

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

The Council operates housing emergency services, with a response unit, that are available 24/7 to deal with both housing related and wider emergencies.

The Council also has tried and tested approaches to dealing with more significant emergencies that can be called on. This does raise a question perhaps as to whether other social landlords, such as housing associations and almshouses, should be obliged to participate and contribute to emergency planning services provided by councils where they have significant stock.

The Councils have in place different portals for residents to complain, including a 'Report It' App.

Procedures on the council's website detail what to do in an emergency, including fire and asbestos procedures.

Wandsworth Council would support such approaches being set out in a revised service standard.

## **A new deal for social housing**

### **Chapter three - Empowering residents and strengthening the Regulator**

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

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

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

- Yes**
- No**
- Not sure**

Our only concern would be that any performance indicators collected for comparative purposes consider existing standard performance indicators which may already be collected.

The Council would also not support indicators which might be considered too vague or that it might be difficult to interpret (how can you effectively measure respectfulness in any meaningful way).

The Council would support a continued use of STAR questions which cover issues such as neighbourhood management and ASB and would provide comparative data of assistance to landlords.

Any approach to extending reporting requirements (beyond local reporting to residents which all landlords should be doing) should consider cost and resources and seek to minimise impacts on social landlords in order that resources continue to

be properly directed toward front line services. The principle of reducing unnecessary bureaucracy remains a good one.

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

- Yes
- No**
- Not sure

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

See above the Council would support the continued collection of information which is already being collected. This could include gas servicing performance, up to date FRAs being in place might also be considered.

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

- Yes**
- No
- Not sure

There is a question as to whether perception surveys should be undertaken each year given the cost of such surveys if these are done properly (by an independent research company seeking a representative return to provide a high confidence level). We would advocate that such surveys are undertaken every two years.

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

- Yes**
- No
- Not sure

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

Under the Tenant Involvement and Empowerment Standard the Regulatory standard already sets out how registered providers should involve residents in decision making including, the development of polices, service standards and scrutiny of landlord's performance. The previous TSA standards set out in more detail expectations on social landlords. Wandsworth would suggest that lessons should be learned from what worked well and what didn't in the previous TSA standards rather

than look to develop new standards around transparency and should ensure that standards are not too prescriptive.

In line with the current standards, Wandsworth produces an annual report to residents, covering performance across the service and believes this should remain mandatory for social housing providers. This is published on the website and delivered to homes in the Housing newsletter Homelife.

The Local Authority Statistical Returns (LAHS) already require social landlords to provide data on decency, void times and spend on repairs but this is not set out in an accessible way for residents.

The Government will need to consider how to collate this performance information (presumably through Homes England) in an accessible way for residents.

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

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

- Yes
- No
- Not sure

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

There may be merit in having some form of best practice note on approaches to communicating with local residents. However, our observation would be that this is an area where social landlords and indeed anybody should be looking to continually improve and adapt.

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

- Yes
- No
- Unsure

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



We would support the regulator taking on this role but would not expect any additional charges to fall on social landlords for this service being provided (there is no charge for LAHS information as the Government can see the merit of collecting this information for its own purposes). The regulator should use the expertise of existing benchmarking organisations to develop performance indicators. This will provide well established ways to benchmark data across providers, for example in dashboards that are easily accessible for residents and landlords

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

See Q25. The Government would need to ensure that the regulator provides performance information in an accessible format which allows for comparison (e.g. regional, selective on the part of the enquirer) and would show quartile position etc. As per Q28 the regulator should look to existing models and software that is already available to enable this form of open reporting.

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

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

- Yes
- No**
- Not sure

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

Whilst it is appreciated that any developing social landlords should also be providing a quality housing management service, it is not clear that this is the way that a social landlord should be sanctioned for providing a poor service. The need for all forms of housing including affordable is imperative and supply should not be cut off where a social housing provider is competent enough to provide it. However, as set out elsewhere in this response there could be penalties for providing a poor performance which could include additional fees to the HO where there is a significant level of referrals (that are upheld) to this organisation.

Also, it is very important that we are clear what "resident experience" is actually measuring (namely an assessment by the Housing Regulator looking at the available evidence that a social housing service is failing).

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

Benchmarking performance against other landlords, for example in league tables, should be a sufficient incentive to ensure best practice is delivered. We do not believe reducing Government funding to build new homes will support best practice and in turn will only have a negative impact on housing delivery. We have already set out how we believe that penalties might be imposed where there are a significant number of complaints upheld that are referred to the HO or which might indeed be imposed where the matter referred is itself significant (e.g. a failure to undertake gas safety checks).

Other than this the social housing regulator does have options where there is a service failure and no action is taken – so it is unclear what further might be required

*We want to understand more about whether the regulatory framework is setting the right expectations on how landlords should engage with residents, and how effective current resident scrutiny measures are. Landlords are required to consult residents at least once every three years on the best way of involving them in the governance and scrutiny of the housing management service and demonstrate how they respond to tenants' needs in the way they provide services and how they communicate.*

**31. Are current resident engagement and scrutiny measures effective?**

- Yes
- No
- Not sure**

The quality of engagement and scrutiny arrangements will vary between social landlords. The effectiveness of arrangements and how social landlords publicise what those arrangements are needs to be set out in a national standard.

Wandsworth Council would comment that such arrangements do vary in the housing association sector and across the TMO/RMO sector where resilience of governance and accountability can be an issue (as committee members leave and it is difficult to secure enthusiastic replacements).

The Council has found instances where housing associations have no formal resident structures, do not promote such structures and do not have published details of how to participate. Although there are also examples of good practice this demonstrates the need for a nationally set standard.

We are also not clear how any such standards would be applied to other sectors which do not necessarily have to register with the regulator such as almshouses –

and we would urge the MHCLG to consider how standards could be applied to this sector also.

For councils and for Wandsworth Council we believe that our structures for scrutiny and engagement do present a well-established framework of participation that goes from grass roots (e.g. Residents' Associations, estate walkabouts, councillor surgeries) to more strategic engagement (e.g. Borough Residents Forum, Scrutiny Committee).

Whilst social landlords should continually look to improve the way they communicate and listen councils as landlords are perhaps unique in having a structure where accountability works also through its democratically elected representatives and across service areas (e.g. are services working effectively across housing and social services to support vulnerable residents). Perhaps lessons can be learnt here by the private registered provider (PRP) sector in terms of such accountability and joint working to resolve problems and issues as they arise.

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

The Regulatory Framework sets out how residents can expect to be involved in services delivered by their landlord in the Involvement and Empowerment standard. The Council believes this sets out expectations clearly, but Government need to ensure this is well publicised to residents to ensure they are aware of the expectation on landlords.

As per Q31 locally it should be a requirement on housing providers to publish their participation structures/policies to residents, for example on their websites, so residents are clear how they can engage and influence decision making with landlords. The Regulatory Framework needs better tools available to monitor/enforce whether landlords are following the standards set out.

It should also be acknowledged that social housing residents should not be expected to participate more, and a landlord should not be judged on the levels of participation achieved. Each resident should have the opportunity to participate and raise issues easily and expect a proper response. However, the level to which they participate should be their choice and the measure of success is as much satisfying residents, so they see no reason to complain or engage any more than any other citizen might.

Any regulator and social landlord should also recognise that there is a need for a diversity of approaches to capturing social resident views. It is vital that a social landlord and social residents are supported in effectively triangulating views and not being unduly swayed by or simply relying on one form of engagement.

*A number of national tenant and resident organisations in the sector have been exploring the option of an independent platform for tenants, based on widespread*

*engagement with tenants, to enable them to have their voices heard more effectively at a national level.*

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

- Yes
- No
- Not sure**

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

The Council would note that there is national representation and a platform for Government to ensure residents are sufficiently supported and voices heard through current well established organisations such as the Tenant and Residents Organisations of England (TAROE) Trust, a charity formed in 2013 out of the former TAROE to provide advice on housing issues and social exclusion.

Residents from TMOs and Co-operatives also have strong national representation from the National Federation of Tenant Management Organisations and the Confederation of Co-operative Housing, which are well established. We would suggest that these platforms are sufficiently supported to be able to provide resident representation.

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

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

- Yes
- No**
- Don't know

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

There is already an established way in which tenants can set up TMOs organisations and the Council believes this is sufficient.

Whilst the Council fully supports the 12 TMOs operating and providing services in Wandsworth there are risks to allowing transfer of stock to small housing associations with little stock. A great deal of caution needs to be taken here:

- Governance and financial probity can be significant issues for smaller organisations and this has been demonstrated locally on numerous occasions through the regular audits that the Council undertakes on the TMOs working in its area. It must be appreciated that the work of voluntary committees to run and take responsibility for an organisation is significant and can be difficult to sustain.
- There is the matter of resilience. It has been found that whilst some services can be excellent smaller operators find it more difficult to undertake some activities such as organising and procuring major capital works programmes.
- Economies of scale may drive up costs and service charges for residents.
- In turn, there is always the risk that a smaller housing association may elect to merge or partner with a large housing association which may run counter to the original aim.

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

- Yes
- No
- Not sure**

Our view would be that the existing housing association sector where stock transfers have taken place should be reviewed. A key question might be as to how many of these smaller housing associations (which may have been set up to take on a fairly small level of stock) have fared, whether they have merged etc., what their governance structures look like now and how they operate (are the Boards focused on having local social housing resident representation) and whether they have kept to and maintained an ethos of providing services as they may have originally committed.

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

- Yes
- No
- Don't know**

Please explain your answer further below if you wish to.

The tragedy at the Grenfell Tower has undoubtedly raised concerns over the effectiveness of the TMO model (set out under the Housing (Right to Manage) Regulations 2012 by the Secretary of State). Wandsworth has 12 TMOs supported and monitored in accordance with the Modular Management Agreement (MMA), approved by the Secretary of State under regulation 16(2) of the Housing (Right to

Manage) Regulations 2012. Some provide a good service whilst others, over the years, have failed to do so and have been subject to numerous interventions (including taking services back).

Nothing in the MMA gives the TMO any ownership or other legal rights or imposes any obligations in respect of the property other than the right to manage and maintain the property. As the Council retains its statutory, contractual and common law obligations to TMO residents, questions must be asked over the clarity of the levels of control and accountability between the TMO and local authority as articulated through the MMA. The relationship needs to be better defined with the Council ultimately being able to act at an earlier stage where there is a service, governance, financial or health and safety matter that arises.

Effective monitoring of TMOs needs to be in place to ensure standards are being met and balloting of residents must continue to give residents the opportunity to opt out of TMO arrangements if they are not satisfied.

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

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

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

The experience in Wandsworth has been that some TMOs have found it difficult to recruit and sustain membership of governing committees which raises issues, identified by audit services, of poor governance and poor financial management. It has also been the case that on occasion the Council has needed to invest time and resources to supporting TMOs which is an additional cost which is often not recognised when promoting TMO establishment. On more than one occasion Wandsworth Council has had to parachute in experienced housing management staff to support what is effectively a failing TMO.

It must be acknowledged that as a model of the delivery TMOs seem attractive. However, it is their long term sustainability which would concern Wandsworth Council – particularly if they become easier to establish.

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

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

The safety of our residents is our primary concern and where the service provided could impact the safety of a building or the estate, for example when carrying out a repair service, ultimately the landlord must retain full oversight given it has a statutory, contractual and common law obligation to all residents. We believe you can still provide residents with a choice of what services are right for them by ensuring good resident participation and engagement, listening to their views, feeding back on the decisions made and allowing a management structure that encourages continued involvement and sufficient redress and flexibility when residents are not satisfied.

Whilst in principle such arrangements do present as positive and empowering as with TMOs there is the administration of such arrangements, sustaining interest in services being provided and ultimately the Council will need to retain oversight to monitor the quality of services being provided. It is also likely that economies of scale would not be achieved, and of course administrative costs would need to be accounted for.

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

- Yes
- No**
- Not sure

If yes, what is needed to make these work?

See response to 38 and 40 below. The customer experience, in the delivery of contracts, is key. It is not necessarily about the commissioning of a service but how a social housing resident is able to feedback their experience, have a contractors performance reported to them, how poor performance is being managed and to be able to question managers about these matters. Wandsworth Council certainly aims to do this through the organisation of its housing management service (into Areas) and participatory structures.

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

Many providers already have systems in place to ensure residents are involved in the tendering process for contractor services such as repairs as is the case in Wandsworth. For example, in Wandsworth, resident tendering panels, involve both tenants and leaseholders in drawing up contract specifications, tendering for works and choosing a contractor. It is important that these processes allow input from residents, but enable the Council to retain oversight of the quality and value for money of contracts. This can be done, by ensuring that tenders meet the relevant criteria and that the specification of the contract and level of service is clearly understood by the residents and contractor. A good example of this recently has been the establishment of a resident working group to help review and inform the commissioning of a new cleaning contract.

There are approaches that can provide opportunities for social housing residents to be involved in informing how budgets are utilised and a good example of this is the Council's small improvement budget. Residents' Associations can bid for funding that can be used to fund small projects identified by their members and might include small block improvements, landscaping etc.

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

Wandsworth manage a high volume of leasehold properties (currently 48% of its total stock) and have a very well established approach to leaseholder consultation and transparency. Our consultative frameworks does not differentiate between tenants and leaseholders with membership open to both at all levels.

The Council broadly welcomes leasehold reforms and believe these will have a positive impact for both the leaseholder and landlord, by restricting ground rent and making the purchasing of the freehold easier.

The Council is however bound by the terms of the lease, which put an obligation on us to repair and maintain but does not allow for improvements unless 100% of leaseholders are in agreement. When repairs and maintenance is required leaseholders are given the opportunity to nominate a contractor during the consultation process and their views are considered and decisions are fed back.

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

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

- *to support the provision of social housing that is well-managed and of appropriate quality;*
- *to ensure that actual or potential tenants of social housing have an appropriate degree of choice and protection;*
- *to ensure that tenants of social housing have the opportunity to be involved in its management and to hold their landlords to account; and,*



- *to encourage registered providers of social housing to contribute to the environmental, social and economic well-being of the areas in which the housing is situated.*

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

- Yes**
- No**
- Not sure**

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

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

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

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

- Yes**
- No**
- Not sure**

If yes, how?

As set out elsewhere the indicators settled on must be SMART. When a set is determined these should underpin what Wandsworth Council would generally identify as an adequate high level set of service standards which should form the

basis of potentially more detailed and tailored service standards locally. As an observation a Council landlord may be in a more difficult position than a housing association landlord as to use of Housing Revenue Account (HRA) resources. This is because of the restrictions placed on councils in relation to the use of HRA resources which are not the same as a housing association. Restrictions that might arguably limit the extent to which HRA resources can be used to help promote social, environmental and economic well-being where these are not directly related to the delivery of housing management services.

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

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

- Yes
- No
- Not sure

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

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

- Yes
- No
- Not sure

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

There is a difference between intervention, where serious detriment may be the appropriate trigger, and being able to alert a social landlord as to what might be poor performance and request what action is being taken to address that poor performance. Submission of performance data (see 46 below) should provide sufficient information to achieve an assessment of a social landlords (comparative) performance and whether a “flag” needs to be raised against that service.

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

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

- Yes
- No
- Not sure

The Council agrees with this proposal and it would sit well with performance against individual KPIs and performance overall. However, where questions are raised about performance context does need to be considered (appropriate comparators used by stock profile and location) and standards and thresholds set which are realistic rather than Olympian. See response to Q45.

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

- Yes
- No
- Not sure

If yes, how should this be targeted?

Yes, key performance indicators are a good way to monitor performance and benchmark against others. However, the indicators must be SMART and there is a risk that a set of indicators which are overly perception based will not give an adequate picture of the quality and effectiveness of services being delivered.

KPIs should also be a can opener to explore with a social landlord whether there is an issue with an area of delivery and whether actions are in place to improve that area of service. Therefore, a graduated and phased form of information gathering and then intervention as required is supported.

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

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

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

- Yes
- No
- Not sure

If yes, what measures would be appropriate?

Wandsworth Council fully supports a greater role for the regulator in reporting and where appropriate working with a social landlord to understand performance issues and agree remedies. As a social landlord Wandsworth Council also fully supports the service standards currently set and would support improvement and changes. However, this must be done based on equity between social landlords rather than an additional set of penalties being available that can be applied to council landlords alone. The Council also assumes that the financial standard would not apply given that in this respect a council's financial arrangements are very different from a PRPs.

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

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

*Powers applicable to all landlords:*

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

*Powers applicable only to private registered providers:*

- *Issue Fines*
- *Order payment of compensation to a resident*
- *Appointment of manager to improve performance of the landlord*

- *Transfer land to another provider to improve management of land (following an Inquiry)*
- *Suspension and removal of officers in cases of mismanagement (during or after Inquiry)*
- *Appoint a new officer to address service failure and improve management of company*

*Power applicable only to local authority landlords:*

- *Appoint an adviser to improve performance*

**49. Are the existing enforcement measures described above adequate?**

- Yes**
- No**
- Not sure**

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

Yes these are adequate where the serious detriment test is met but the Regulator needs powers to intervene and monitor performance to ensure landlords don't fail.

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

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

- Yes**
- No**
- Not sure**

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

Generally, Wandsworth Council works positively with its 12 TMOs. The Council would continue to support intervention, where there is a poor service provided, being led by local authorities rather than more directly through the regulator. However, the MMA does not as such assist as it might in terms of early intervention measures

which could be used to pick up on poor performance early. Perhaps some form of notice regime is required.

As identified elsewhere the Council would be supportive of a greater level of regulator control of the almshouse sector.

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

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

We agree with the proposed changes.

### **A New Deal for Social Housing**

#### **Chapter Four - Tackling stigma and celebrating thriving communities**

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

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

Wandsworth Council is proud of its active citizens who have for many years worked hard to improve their neighbourhoods, communities and estates. This has included through Wandsworth's Residents' Association structures and through more informal means such as the Council's Housing Community Champions (HCCs) initiative. Clearly the Government directly or through the regulator could support a competition or preferably some form of recognitional marque where a resident/community has gone that extra mile.

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

Firstly, it must be recognised that a large social housing estate, whilst having its challenges, can also provide a model of community cohesiveness. However, the physical nature of some social housing estates can create a perceived physical barrier which social landlords need to identify and within their investment plans seek to address. This could be for instance through creating spaces within estates available for the wider community to use and creating greater permeability (e.g. well-lit and safe walk and through ways). Clearly investment and raising standards in social infrastructure, including health and schools, could help as well.

Wandsworth promotes HCCs; these are residents whose commitment and dedication to improving their neighbourhood has been formally recognised by the Council.

Our HCCs have been involved in a range of community activities and volunteering, in some cases over a considerable period of time including community gardening, involvement in local community groups, and fundraising for community projects. HCCs represent each part of the Borough and receive support and funding for their ongoing and new projects throughout the year. The HCCs can apply for funding to support community projects and initiatives and encourage wider resident participation. HCCs could be supported to tackle stigma, by supporting initiatives that expand across the local community regardless of tenure. However, for this to be possible specific funding for community cohesive projects should be made available.

Additionally, the Council has sponsored and will continue to sponsor events which attract those from the wider neighbourhood to local festivals, often held on estates. Such festivals are not only a great way of providing entertainment but can bring local people together to hear views and provide a wide of range of information which is of help (e.g. how to prevent crime, wellbeing and healthy living initiatives).

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

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

Apprenticeship schemes should encourage local people to train as housing professionals, as such efforts can deliver benefits to the wider community. This would include ensuring that accredited housing training schemes are available and publicised for social housing employees to sign up to with Government funding to support such schemes.

Wandsworth Council has also in the past employed housing trainees who along with undertaking a qualification have spent time in a number of housing service areas. Such schemes have reaped rewards in relation to providing qualified and competent members of staff who have understood the “housing business”. However, such schemes have become more challenging to sustain as financial pressures have increased.

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

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

The Status Lite survey already asks a series of questions in relation to neighbourhood management. Wandsworth Council would support the use of this survey to provide perception and performance information as to neighbourhood

management. The surveys should be carried out in a standard way to ensure they are representative.

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

For a council landlord it follows that the wider responsibilities of a local authority mean that the housing management service tends to work closely with other services delivering services in this case to Wandsworth Borough residents such as adult social services and ASB and crime reduction services.

In turn there is significant benefit achieved in maintaining, for example, a sheltered housing stock to help more vulnerable residents remain independent. Links are also made with economic development services that promote and secure local training and employment initiatives.

There are also numerous examples of working closely with the police to tackle crime and very close working with the London Fire Brigade.

However, such collaborative and joint working can often be a challenge for the PRP sector who might have stock in several local authority areas. This situation could arguably be said to be being exasperated as housing associations continue to merge and to some extent lose their geographical focus. PRPs can work well with councils, for instance in the provision of supported accommodation, but the relationships need to be encouraged to ensure PRPs meet their wider social responsibilities and help councils and other public services to do this in a joined-up way.

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

Yes

No

**Not sure**

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

Many social landlords do identify and set out the additional social value that they provide over and above provision of core housing management services. Some but fewer identify this at a borough and local level. Wandsworth Council would generally support such statements of intent, activity and investment particularly where these can be related to what is happening within a council's borders. However, it would be more difficult to see the value or relevance of activity needing to be reported to a national regulatory body.

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



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

We are committed to working in partnership with residents and partners to tackle ASB and find the best resolution. Local councils are perhaps in a unique position to bring partners together, including PRP landlords, schools, faith and community groups and also the police to tackle ASB. This role and the obligations on others to actively participate in initiatives to reduce ASB and crime is key.

Wandsworth Council has an information sharing protocol which aims to facilitate this close working partnership, including disclosure of information on residents to tackle crime and ASB, and sharing CCTV recordings taken on Council estates.

We also support the work of the Community Safety Partnership to tackle knife crime through the delivery of a knife crime action plan, including enforcement, diversion, prevention and early intervention and how the Council will tackle hate crime, radicalisation and extremism. This includes awareness raising through workshops, Safer Neighbourhood Boards, Multi-Faith Forums and community organisations.

We proactively work to deliver the aims and objectives of various groups, including the Gang and Multi-Agency Partnership and Inter-Agency Steering Group so a co-ordinated response can be taken to reduce ASB. A senior housing officer regularly attends the Multi-Agency Public Protection Arrangements, which is tasked with the management of registered sex offenders, violent and other types of sexual offenders, and the Multi-Agency Risk Assessment Conferences where information about high-risk victims of domestic violence is shared and a co-ordinated action plan to increase victim safety. We also attend the Violence Against Women and Girls Steering Group and the Hate Crime and Harassment Steering Group.

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

An assessment of how well a social landlord leads and assists in tackling ASB and crime reduction is needed. This should also relate to service standards set including responding to an ASB report and taking action (e.g. removal of graffiti). Wandsworth Council also undertakes regular representative satisfaction surveys which can tell us much more about what we need to do than PIs we collect.

However, ASB is such a complex matter that there is a risk that a single PI would misrepresent both activity and the particular challenge a social landlord might face. We would therefore urge Government officers to consider the merits of social landlords being required to sign the 'Respect ASB Charter for Housing'.

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

- *Strengthen planning guidance to take into account the principles of Secured by Design: to ensure that external spaces, parks, streets and courts are well-lit and well maintained so they are safe from crime and the fear of crime.*
- *Strengthen guidance to encourage healthy and active communities: building on the NPPF's healthy and safe communities chapter.*
- *Strengthen guidance to encourage new affordable homes to be designed to the same high-quality as other tenures and well-integrated within developments.*
- *Encourage design that reflects changing needs: for example, inclusive design for an ageing population and family housing at higher densities for effective use of land.*

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

The consultation refers to strengthening planning guidance to take into account the principles of Secured by Design. We do not feel the Government's own planning guidance which refers to the Urban Design Compendium has been taken into consideration here. The guidance set out in the Compendium is far reaching and more commanding than the principles of Secured by Design alone, which only applies to personal safety, security and crime.

Wandsworth Council is one of the few councils nationally that have had a council development programme for over a decade now. During this time it has built to space, quality and environmental requirements as set out in national as well as regional planning and grant policy and guidance. Wandsworth Council would continue to support the application of these standards as well as those that relate to building a portion of stock to wheelchair accessibility/home for life standards. Environmental standards are also key in tackling fuel poverty.

However, whilst Wandsworth Council will apply these standards, standards should not be applied to the sector in such a way as to hamper innovation which has clear housing benefits to local residents. Exceptions for instance to set size standards might be acceptable in limited circumstances if it promotes delivery of a very high quality product.

Wandsworth Council would also advocate the ability to link sites to maximise the delivery of affordable housing through the value in one site cross subsidising the delivery of affordable on another. Whilst this may have less to do with design the focus must also be on maximising delivery.

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

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

Wandsworth Council has one of the best track records of delivering housing of all tenures in the country. This has included in areas which have undergone over short periods of time significant change such as the Nine Elms and Vauxhall Opportunity Area. Change and housing development on this scale brings its own challenges. Firstly, existing residents may well be resistant to development and the change it brings so new developments/developers must be required to engage early and often and to set out how their development will enhance and improve the local area by the offer they are making (including through payment of CIL, and improvement of social infrastructure). Secondly, whilst local amenity groups can assist in raising collective concerns and should be heard those groups should be able to demonstrate (if they do claim to speak for residents) how they have sought to properly capture resident views. Thirdly, there should be considerably more effort taken by the owners/managing agents of new developments to involve residents in the management of the new block/estate they are living on.

The Council is now delivering 1,000 new affordable and market homes on over 100 sites. For each scheme a consultation and communication plan is agreed which includes pre-application drop in sessions to inform plans and work through what is needed to ameliorate the impact of a development (be that environmental improvements that are required or other works identified). We will change plans if consultation identifies it necessary to do so and will communicate our intentions. Involvement from an early stage is key.

In respect to our regeneration schemes, more than 3,000 new homes for shared ownership, social rent, low cost rent, market rent and for sale are to be built by the Council and its partners through the regeneration of the Alton estate, in Roehampton, and Winstanley and York Road estates, in Battersea.

We have encouraged residents to be involved in the planning and design through comprehensive engagement processes. Notable is the ongoing work that is required to maintain support for regeneration and the all-important demonstration of what change will “look like”. Extensive surveys of attitudes to home, estate and area were also undertaken. These surveys were not simplistic ballots but asked meaningful questions about change and the level of change residents wanted to see. They identified a strong message that residents wanted to see significant change rather than just improvements to existing homes.

The consultation process has included: open days, public meetings, an on-site drop-in centre, newsletters, and individual engagement such as door-knocking.

Consultation is a continuous process and these methods continue to be employed. It is also notable that at the beginning of this process there were groups, not local to the estates, who were intent on highlighting the negative results of estate regeneration schemes. In this respect, the Council recognised the importance of investing significantly in ongoing consultation and not relying on one off consultation.

Elsewhere in the borough the Peabody Trust involved residents at the design stage of the Peabody Estate at Clapham Junction through the appointment of an artist to work with the architects. There was a discussion and ideas for art and the options were discussed. The urban design officer was also invited to attend and contribute to the meetings. The art strategy that emanated from the discussions can be seen encapsulated in the facades of the buildings. The façade design relates to a narrative about the history of people involved with the existing Peabody Estate in Clapham Junction giving a very human dimension.

## **A new deal for social housing**

### **Chapter Five: Expanding supply and supporting home ownership**

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

- Yes, current arrangements strike the right balance
- No, they don't strike the right balance
- Not sure**

Please explain your answer further below if you wish to.

A lift on the cap on borrowing for local authorities is welcomed for those who require this additional borrowing capacity. Generally the Council would welcome a more direct discussion with Government as to how Delivery Agreements could be put in place (partly financed by grant) not just to deliver new housing but also housing and estate improvements.

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

We would suggest that the Government should let existing custom and resident build initiatives run their current course and then review effectiveness. As an observation it is likely that such initiatives will always be a small part of the development of affordable homes.

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

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

This would be for each social landlord to identify. However, a review of the Council's land holdings has identified that on infill sites alone over 1,000 homes can be developed albeit over a period of 8 years. Delivery of these homes could be accelerated if additional financing were available.

There is also possible potential to identify further estate regeneration opportunities. However, these are financially onerous and complex to deliver and there is now additional risk involved in exploring and embarking on such schemes given the need to hold in London a ballot to secure grant funding.

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

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

The TVHA model identified in the best practice provides an approach which Wandsworth would support which enables smaller portions of equity to be secured. Additionally, Wandsworth Council has just worked on a scheme with Pocket Homes which is simplicity itself. Essentially, the scheme delivered over 50% affordable homes and sold those homes at a fixed discount price to the market relative to certain income thresholds. This meant that 100% of the home was sold but the requirement is that the homes must be sold at the pegged discount price plus any indexing that might need to be applied. We would suggest that this model is much simpler to understand and allows a home to be affordable not just to one purchaser but to future purchasers. The scheme also benefits from residents buying a fixed discount to apply for assistance under the Help to Buy Scheme.

Finally, service charges can raise a number of issues for shared owners. Whilst it must be acknowledged that a service charge should ultimately reflect the cost of services provided, the complexity of service charging and in turn billing can confuse and cause great concern when service charges rise (after the first year/few years of occupation). A period of certainty where service charges remain fixed or rise by some form of indexation for a set period would be welcome for households likely to be on lower incomes.

# About this consultation

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

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

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

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

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

Individual responses will not be acknowledged unless specifically requested.

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

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

# Annex A

## **Personal data**

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

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

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

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

### **2. Why we are collecting your personal data**

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

### **3. Our legal basis for processing your personal data**

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

### **3. With whom we will be sharing your personal data**

Your data will not be shared with anyone outside MHCLG.

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

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

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

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

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

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

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