

Crawley Borough Council

**Cabinet**

**Supplementary Agenda**

**Wednesday, 4 September 2024**



**Chief Executive**

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<p>Further Information: Attached is the proposed Cabinet response to the Housing Associations Scrutiny Panel Recommendations.</p>	

*NOTE: The Leader has agreed that, although this report and information was not available for at least five clear days before the meeting, there are special circumstances justifying its urgent consideration.*



Switchboard: 01293 438000  
Main fax: 01293 511803  
Minicom: 01293 405202 DX:  
57139 Crawley 1  
[www.crawley.gov.uk](http://www.crawley.gov.uk)

Town Hall  
The Boulevard  
Crawley  
West Sussex  
RH10 1UZ

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# Agenda Item 5

Cabinet

Wednesday 4 September 2024

## Comments from the Overview and Scrutiny Commission at its meeting on Monday 2 September 2024 OSC/323

### 1. Cabinet Agenda Item – Crawley Homes Annual Complaints Performance and Service Improvement Report and Statutory Complaints Handling Code

#### Comments and Recommendations

The Commission considered report [CH/208](#) and associated [appendix](#) of the Head of Crawley Homes. During the discussion with the Cabinet Member for Housing, the Head of Crawley Homes and Crawley Homes Policy and Engagement Manager, the following comments were expressed:

- It was noted that the Housing Ombudsman’s Complaints Handling Code became statutory from 1 April 2024. It included additional requirements for scrutiny and oversight and detailed the effects and the ways in which Crawley Homes can liaise with tenants, together with the processes and mechanisms that the service had for addressing and monitoring complaints on a regular basis.
- It was acknowledged that there had been more complaints in the South in terms of repairs compared to the West of the town. This was in the latter half of last year and had resulted from staffing issues during that period, together with more publicity across the sector from the Housing Ombudsman, particularly around damp and mould, which had also impacted demand for inspections and surveying generally and leaving reduced capacity for complaint handling as a result. As part of the new restructure within the Responsive Repairs Service there would be a Complaints and Disrepair Manager that would primarily deal with stage 1 complaints, disrepair and assist with stage 2 complaints where appropriate. It was envisaged that the percentage of level one complaints completed within timescale would increase; the senior management team within Crawley Homes was proactively managing performance around this and ensuring that the correct culture was in place that placed compliant handling as a priority.
- Recognition that data was continually being analysed and systems issues were being addressed. This included enhanced training and a need around confidence with getting remedies right at stage 1 (as they underpin what happens with stage 2). It was noted that complaints can be an opportunity to highlight factors in order to provide a good service. Detailed service and action plans and complaints were analysed monthly to ensure continued improvement, along with quarterly reports.
- Clarification was sought and obtained on the unreasonable/vexatious complainers and potential trends.
- Confirmation was provided on the classification of formal complaints from the public, as opposed to those received as ‘member enquiries’.
- Details provided on the offer of financial and non-financial compensation. In some cases compensation may be justified, however the evidence and merit of awarding compensation would always be evaluated. A new compensation policy was being drafted which would offer appropriate remedies and compensation in a fair and justified approach.
- The Tenants and Leaseholders Action Panel (TLAP) was commended for the scrutinising, input and continued feedback, particularly into the Complaints Service Improvement Plan.

#### RESOLVED

That the Commission noted the report and requested that the views expressed during the debate, were fed back to the Cabinet through the Commission’s Comment sheet.

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## 2. Cabinet Agenda Item – 2024-2025 Budget Monitoring Quarter 1

### Comments and Recommendations

The Commission considered report [FIN/665](#) of the Head of Corporate Finance. During the discussion with the Leader of the Council and Head of Corporate Finance, the following points were expressed:

- Support that the Council was forecast to receive £816k of additional investment interest, due to higher balances than predicted due to slippage in the capital programme and a number of longer term-deals with higher interest rates as a result of more proactive treasury management.
- Concern was expressed for the projected overspend of £575k due to the rateable values for business rates for the new Town Hall/Create Building, particularly in comparison to the rental income. It was confirmed that the rateable values for the unoccupied floors of the Create Building issued by the Valuation Office in the current financial year had come in substantially higher than anticipated. Work and investigations were continuing to explore mitigations.
- It was disappointing to note that the 2024/25 Repayment of PWLB figure had been omitted from the Major Repairs Reserve in the Financial Outturn 2023-2024 (Quarter 4) report. It was confirmed that the debt had been paid, and the correct figure was provided for transparency.
- Recognition that with regards to New Burdens Funding to reimburse the full costs of Temporary Accommodation incurred for Chagossians, the Council still had yet to receive payment.
- Clarification was provided on the future of the TA budget and the work required to meet the ongoing challenges.

### RESOLVED

That the Commission noted the report and requested that the views expressed during the debate were fed back to the Cabinet through the Commission's Comment sheet.

**Councillor Ayling**  
**Chair, Overview and Scrutiny Commission**  
**2 September 2024**

# Agenda Item 6

**OSC/320b**

**Cabinet, Wednesday 4 September 2024**

**The Leader's / Cabinet Member for Housing Proposed Response to the Housing Associations Scrutiny Panel Final Report**

## **Response to Recommendations**

The Cabinet thanks the Scrutiny Panel for its work on this matter. When considering the recommendations it is important to note the circumstances that prompted this review, and the challenges of engaging relevant organisations.

Residents had approached councillors about ongoing and unresolved issues of repairs and anti-social behaviour within social housing stock not belonging to Crawley Homes, but to other Registered Providers. Those councillors had struggled to get traction on those issues with those Registered Providers. This is because the Council has no oversight powers in relation to other Registered Providers. These powers sit with the Housing Ombudsman and the Regulator for Social Housing. So, what is the democratic role for local councillors who residents want to act on their behalf?

One of the few powers in this regard is the Council's external scrutiny powers. In 2007, recognising the importance of the role of external partners and agencies in delivery of local services, the Government extended the scope of scrutiny to include partnership working. This placed a duty on named agencies and organisations who work in partnership with local authorities to co-operate in scrutiny inquiries. In 2010 it was strengthened further when the Government issued a code of recommended practice on data transparency. The publication of such data provides further opportunity for local communities to use the overview and scrutiny forums to raise matters of concern.

Despite using these powers, Cabinet notes the poor response of Registered Providers to the Scrutiny Review. Only one organisation attended a meeting, that being The Guinness Partnership. Just one other organisation, Hyde Housing, provided a written response after some high-level prompting. Overall, it seems that Registered Providers do not recognise the democratic mandate of local councillors, even when expressed through the powers of external scrutiny.

The Cabinet agrees with the thrust of the Scrutiny Panel's recommendations. However, given the experience of the review, it is concerned whether officers would be able to secure the information and input required to successfully undertake and secure the activities as set out in recommendations a) to d). As the recommendations are currently written, they will put the onus on officers who are highly likely to experience the same frustrations in securing the information and engagement that the panel is seeking.

# Agenda Item 6

Instead, the Cabinet undertakes to include the thrust of recommendations a) to d) within the letter requested in recommendation f) as published in report OSC/320a. This combined recommendation will now be referred to as recommendation i). In relation to recommendation e) from the Scrutiny Panel, this remains unchanged, is noted and subject to further investigation to determine what further information could be provided. This is now referred to as recommendation ii).

The Cabinet proposes amendments and slight revisions to the recommendations. The rationale behind these changes is to request greater powers to scrutinise and therefore reads as follows:

***The Cabinet is recommended to:***

- i. Request that the Cabinet Member for Housing and/or Chief Executive write to the Secretary of State for Housing, Communities & Local Government, along with relevant Government Departments calling for councils to have greater powers to scrutinise registered housing providers, along with powers to direct registered housing providers to make amends where failure occurs, and that this letter also requests that Registered Providers:***
  - o Provide a breakdown of their Tenant Satisfaction Measures at a local authority level (this is likely to apply where stock is above a certain level) and that this be provided to the relevant local authorities upon request.***
  - o Participate in local partnership and councillor activity convened by local authorities to address matters that relate directly to their stock and tenants.***
  - o Include local councillors within their engagement activity with tenants.***
  
- ii. That officers provide as much information as possible (in accordance with GDPR) to Registered Providers once a social tenancy is agreed so the registered provider can assist the tenant fully both prior and during the placement.***