

Crawley Borough Council

Report to Overview and Scrutiny Commission 23 July 2024

Report to Cabinet 4 September 2024

Housing Associations Scrutiny Panel Final Report

Report of the Chair of Housing Associations Scrutiny Panel:
Councillor T Lunnon **OSC/320**

1. Purpose

- 1.1. A 'spotlight' Housing Associations Scrutiny Panel was established in June 2023 to seek clarification as to the regulation of social landlords and housing associations.
- 1.2. It was noted the Overview and Scrutiny Commission had previously received a report ([SHAP/69](#)) containing information on the housing associations operating in Crawley and third-party data was difficult to mandate, particularly as the Council was not the regulator for Registered Providers (RPs). However, it was felt it would be beneficial to scrutinise the current situation with regards to a limited number of housing associations within the town, together with service standards, satisfaction and complaints received, ideally with witness sessions from various housing associations. It was important to explore options to improve the work between the Council and various registered social landlords (RSLs), resulting in a positive outcome for residents.
- 1.3. The Panel met 4 times between September 2023 and March 2024. The Members of the Panel were: Councillors Lunnon (Chair), Ayling, Hellier, Piggott and Pritchard.

2. Recommendations

- 2.1. To the Overview and Scrutiny Commission:

That the Commission consider the report and decide what comments, if any, it wishes to submit to the Cabinet as an appendix for its consideration at the 4 September meeting.

- 2.2. To the Cabinet

That the Cabinet is recommended to approve:

- a) That as a result of the new legislation and consumer standards in 2024, and following the completion of tenant satisfaction measures surveys, officers request information from Registered Providers on local authority area data (if the figures are not available from the RSH website).

- b) That the Overview and Scrutiny Commission receives an (annual) report following the publication of the tenant satisfaction measure surveys, to specifically include comparison with Crawley Homes
- c) That officers consider establishing regular meetings with relevant partners (as noted in 6.8) at a strategic level and local where appropriate and where the need was identified/resources dictate, to inform/review issues, trends and share best practice, with particular reference to ASB issues.
- d) That Guinness Partnership (and other Registered Providers if relevant) be requested to update councillors regarding each neighbourhood (including when estate inspections are due so Ward Councillors can attend if they wish), to be included in Councillors' Information Bulletin via Democratic Services.
- e) 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.
- f) 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.

3. Reasons for the Recommendations

- 3.1. To understand the current processes, practices and systems that exist, together with the provision of support available to tenants, in order to address some of the concerns and improvements for consumer standards together with seeking to build on the relationships already in place between the Council and Registered Housing Providers.

4. Background

- 4.1. Concerns had been raised (particularly around anti-social behaviour (ASB), maintenance and customer contact) regarding a limited number of Registered Providers (RPs). In some instances, there was third-party involvement, particularly estate management companies, however it was thought that responsibility and cooperation should be evident to assist partnership working. There were many RPs within the town, however the Council had few contacts, with the exception of formal processes such as NASB, Planning and Environmental Health.
- 4.2. It was recognised that RPs tended to operate on a larger (regional) scale which may result in disparity across areas. The Council operated a choice-based lettings scheme so that households on the housing register choose which properties they bid for. An update was requested whether since 2018 ([SHAP/69](#)) there had been a change in landlord preference. Competition across different areas was welcomed and relationships between RPs and the Council can be forged through the enabling function and quality checks were in place prior to this collaboration proceeding.

- 4.3. The Regulator of Social Housing (RSH) regulated registered social housing providers including local authorities and housing associations. The RSH set consumer and economic standards which RPs of social housing had to meet. The Decent Homes Standard was due to be updated in the near future, but it was important to note that the new legislation and consumer standards for all RPs due to come into effect early 2024.
- 4.4. The Panel acknowledged the scrutiny functions were specifically referred to in the Local Government Act; including making recommendations on “*matters which affect the authority’s area or the inhabitants of that area*”. This could be interpreted as: “*....To review and scrutinise the performance of other public bodies and partnerships in the district, with a specific obligation on crime and disorder and serious violence duties and invite reports from them by requesting that they address the Committee, and local people, regarding their activities and performance.*” In addition, the Crime and Disorder Act, placed a duty on partners to take into consideration the effects of crime and disorder are adhered to.
- 4.5. Consequently, the Panel recognised the importance of understanding the processes and systems for each organisation in order to benefit from a constructive exercise resulting in positive outcomes. Furthermore, it was important to request feedback from RPs within the borough and it was noted that this could be undertaken through alternative methods to a witness session if the need arose.
- 4.6. As approved by the Overview and Scrutiny Commission in June, it was agreed the spotlight review would usually take 1-3 sessions and consist of:
- Introduction, scoping and identifying witnesses
 - Witness sessions
 - Finalising Recommendations (or obtaining additional information if required)

The agreed scoping framework is at [Appendix A](#).

5. Methods of Investigation and Evidence Gathering:

Witnesses

- 5.1. The following were involved in the Review, as being the most appropriate stakeholder representatives, as identified through the Scoping Framework:
- Ian Duke (Chief Executive, Lead Officer)
 - Amanda Kendall (Head of Crawley Homes)
 - Nick Hobbs (Housing Needs Manager)
 - Hannah Edwards (Performance, Policy and Project Officer)
 - Laura Padgett (NASB Manager)
 - The Guinness Partnership
 - Hyde Housing
- 5.2. Information was sought from Sussex Police requesting any information RPs could address in respect to ASB, any improvements or examples of good practice. Generally, there were not a large number of concerns, however at times it was not always easy to identify who the RSL was initially, with the increase of HMOs under the threshold for Council notification and very occasionally further enforcement from RSLs would be beneficial. The Panel regularly discussed ASB as part of the scope along with enforcement with the issues and actions being documented further throughout the report.

- 5.3. Whilst a selection of registered providers were invited to attend both the February and March 2024 Panel meetings, unfortunately Hyde Housing (Hyde) were unable to attend and sent apologies. However, a briefing note was provided detailing an update about the service provided in Crawley, along with preparation for the new consumer standards. A summary of the views from Hyde were as follows:
- Hyde provided 407 homes within the town (a mixture of social rent (majority), leasehold/freehold and Shared Ownership).
 - In terms of repairs, 2023-2024 data indicated that 100% of emergency repairs were completed within target with 84% of routine repairs within target. There were 118 reported cases of damp and mould, 112 of these were closed and the 6 remaining were being resolved. The repair work had resulted in customer satisfaction of 78%.
 - A new way of working was launched in January 2024, which had assisted in Hyde to be closer to customers and communities. The number of homes in each of the patches had been reduced by a third, giving colleagues more time to connect with residents, focus on the homes they manage and have a specific Neighbourhood Officer. These patches had been aligned with council wards. It was hoped the new approach would make Hyde more visible, more responsive and more accountable.
 - A new customer service centre was launched in January 2024 which had resulted in enabling Hyde to resolve more than 80% of customer enquiries at first point of contact.
 - A full review of the ASB service took place in January 2024 investigating processes, staffing and skills. Changes were made to the ASB approach including controls to ensure ASB performance was regularly monitored. ASB and Tenancy teams were now together and able to respond to customers faster and along with closer working with the new Neighbourhood teams to take a more proactive and holistic approach to tackling ASB.
 - A new customer relationship management system was introduced, and this assisted with the handling of complaints, which were now integrated into the system, improving the handling and record-keeping. This system linked to the online customer portal, improving communications and enabling customers to track the progress of their complaint. Complaints performance had improved in 2023-2024, with between 84% and 90% of Stage 1 complaints responded to within the housing Ombudsman's target timescales.
 - There had been a restructure in the Service Charges team and colleagues were responsible for specific neighbourhoods. There was a dedicated team to carry out quality checks of service charge data.
 - Hyde welcomed the new consumer standards and Tenant Satisfaction Measures (TSM) and had been continuing work to comply with these when they come into force. TSM data was being collated to share with the RSH later in the year.

6. Findings, Actions and Supporting Recommendations

- 6.1. The Panel dedicated two of its meetings to identifying the current processes and issues. The first meeting involved obtaining information on the Registered Providers (RPs) operating in Crawley.
- 6.2. The Head of Crawley Homes, NASB Manager, Housing Needs Manager and Performance, Policy and Project Officer were invited to assist the Panel by providing an update from the Council's perspective and current position whilst assisting the Panel to understand the challenges faced along with the provision of support currently being provided.
- 6.3. The Housing Needs Manager and Performance, Policy and Project Officer (CBC) provided the Panel with an update since the previous report [SHAP/69](#) and further information with regards to Registered Providers (RPs) operating in Crawley (as set out in [Appendix B](#)).

- 6.4. The responsibility for governing and regulating RPs lay entirely with the RSH. The Council expected RPs to be meeting those standards and focused on the property, type of tenancy and then carried out affordability checks prior to accommodation.
- 6.5. The Panel acknowledged that nomination agreements existed which detailed the nomination arrangements for the allocation of social and affordable rental housing ensuring that the Council's statutory duties were met by the housing providers operating within the borough. Service standards and operational processes for social housing providers must conform with their individual regulatory and governance requirements and were thus set at a level which met requirements to protect both tenants and housing stock and which reflected the expectations of their respective tenants.
- 6.6. Panel Members welcomed the new consumer standards and legislation (currently out for consultation at time of writing) and it was intended the revised standards would apply to all RPs with effect during early 2024. This would result in customer satisfaction surveys, performance standards and benchmarking. It was noted that Housing Providers would be required to report back to the Regulator on these measures annually and this will take place each summer. The results would then be collated each autumn and it was intended these to be published on the RSH website. It was felt it would be beneficial for RPs to provide local data for Crawley following the introduction of the new consumer standards and tenant satisfaction measures. The Panel felt the Overview and Scrutiny Commission should receive a regular report (annually where possible) following the submission and any subsequent publication of the TSMs, to specifically include comparison with Crawley Homes.
- 6.7. The Head of Crawley Homes and NASB Manager provided the Panel with a general update on anti-social behaviour in relation to RPs and Housing (as set out in [Appendix C](#)), which also provided the key contacts for ASB for all RPs. Concerns were raised over ASB issues and whilst it was noted that 'hotspots' could be compiled from ASB Team, Enforcement Team and Sussex Police, it was important to liaise regularly and share information and additional data from RPs would be welcomed to feed into any analysis.
- 6.8. The Panel recognised that each registered provider has its own ASB policy which would set out their approach to responding to reports of ASB. However, it would be vital for residents to be aware how and who to report issues to swiftly. There had been issues raised previously in local areas and regular meetings between various partners and RPs had been co-ordinated to address issues and share best practices these which had proven positive. However, it was noted that hotspots did not occur in all areas and consequently, it was felt potentially beneficial if meetings at a strategic level (local where appropriate and where the need was identified/resources dictate) of relevant partners to potentially include RSL, ASB Team, PCSO, Ward Cllrs to inform/review issues, trends and share best practice (with particularly reference to ASB) could be established.

Recommendations:

That as a result of the new legislation and consumer standards in 2024, and following the completion of tenant satisfaction measures surveys, officers request information from Registered Providers on local authority area data (if the figures are not available from the RSH website).

That the Overview and Scrutiny Commission receives an (annual) report following the publication of the tenant satisfaction measure surveys, to specifically include comparison with Crawley Homes.

That officers consider establishing regular meetings with relevant partners (as noted in 6.8) at a strategic level and local where appropriate and where the need was identified/resources dictate, to inform/review issues, trends and share best practice, with particular reference to ASB issues.

- 6.9. The third meeting involved attendance from The Guinness Partnership to offer an update on Guinness' work as a landlord in the borough (as set out in [Appendix D](#)), together with views on the current processes, practices and systems, together with the provision of initiatives and support currently being provided to tenants.
- 6.10. The Panel acknowledged that much work had been undertaken with regards to process for tenant satisfaction surveys and resident engagement.
- 6.11. It was recognised that with regards to issues such as parking and ASB, there were challenges given the more emotive subjects on occasions. However, it was important to engage with residents and partner agencies as it was recognised that working together was the best way to tackle some of the shared challenges faced. The Panel felt it was important that should problems remain unrectified, the Council should have a role in compelling action from registered providers and other agencies.
- 6.12. Panel Members again recognised that ASB was a concern and clarity was sought and obtained on the working relationship with local policing teams and the liaison regarding ASB concerns. Customer Liaison Officers (Housing Officers) would have the liaison with the local policing teams. There were ASB reporting systems in place which would feed through, together with 'quarterly estate inspections/walkabouts'. The Panel felt it would be beneficial if ward Councillors could be made aware of the estate inspections / walkabouts where possible.
- 6.13. Through the discussion it was noted that one improvement which would assist and develop the positive working relationships already in place from the registered providers perspective would be once the tenancy was agreed, to provide as much information (in accordance with GDPR) so the registered provider can assist the tenant fully. Similarly, the registered provider would provide information to local authorities regarding any associated factors prior to a social tenancy agreement. For instance, the Panel queried should an individual have (or previously had) a health concern or particular specific requirement, information shared between registered provider and council may assist in improved tenancy. Instances had occurred where additional information would have been welcomed regarding the neighbourhood, placement and associated background circumstances prior and during placement.
- 6.14. Both the Guinness Partnership and the Panel recognised the new legislation and consumer standards for registered providers due to come into effect later in the year. It was noted that the data would be provided nationally but the tenant satisfaction measures should be able to be broken down into local authority area. Whilst it was yet unknown (at the time of writing) how the data was to be published, it was hoped it would be available on the web (eg The Guinness Partnership website) or potentially the RSH, as the tenant satisfaction measures survey for Crawley Homes had been made live in February 2024 and information was being collected for the Regulator of Social Housing.

Recommendations:

That Guinness Partnership (and other Registered Providers if relevant) be requested to update councillors regarding each neighbourhood (including when estate inspections are due so Ward Councillors can attend if they wish), to be included in Councillors' Information Bulletin via Democratic Services.

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.

- 6.15. Following the briefing note provided by Hyde, it was acknowledged that whilst the update was welcomed, concern was expressed that some of the points noted did not appear to reflect the experiences faced at various locations within the borough. It was commented that more than 6 cases of outstanding damp and mould were known to the Panel.
- 6.16. It was noted that the ASB approach had improved, and it was hoped that the full review of ASB and having an individual on site would result in having a holistic approach to ASB and assist in dealing with the known outstanding issues.
- 6.17. Panel Members commented that an overview would have been beneficial regarding the target repairs data, together with information on the service level agreements which would provide additional details on the routine work orders and repairs carried out. Concern was raised that when tenants had asked for routine repairs to be carried out, they had been informed that these may impact the cost of the service charge, which was separate to the rent. The Panel queried how this would apply in Crawley Homes.
- 6.18. Other Panel Members felt that the update provided a satisfactory depiction of the work undertaken by Hyde to rectify the issues encountered and a new way of working had been introduced to improve contact with customers. It was commented that it would be interesting to analyse any tenant satisfaction measures survey and any benchmarking data when these would be available from the Regulator for Social Housing (RSH). [The Tenant Satisfaction Measures , A Summary of Our Requirements](#) (Regulator of Social Housing), September 2022 stated that *“all landlords will have to report the results of the tenant satisfaction measures for their whole organisation. If they think that it is useful for their tenants, landlords will also be able to publish the results for specific neighbourhoods, specific local authorities or other groups of homes”*.
- 6.19. Four separate communications had been issued requesting attendance at meetings and yet only two responses were received, with the Guinness Partnership able to attend a Panel meeting. The Local Government Act allows the making of recommendations on *“matters which affect the authority’s area or the inhabitants of that area”*, which is interpreted as: *“....To review and scrutinise the performance of other public bodies and partnerships in the district, with a specific obligation on crime and disorder and serious violence duties and invite reports from them by requesting that they address the Committee, and local people, regarding their activities and performance.”* The Crime and Disorder Act, places a duty on partners to take into consideration the effects of crime and disorder are adhered to, with the Police and Justice Act placing *“ward councillors under a duty to respond to a “community call for action” from anybody living or working in the area which they represent, on a matter concerning crime and disorder”... by “inviting other persons to attend meetings of the committee”*.
- 6.20. Given the lack of response from various registered providers operating within the borough, the Panel felt that further powers were required to scrutinise registered housing providers.

Recommendation:

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.

7. Implications

- 7.1. The Panel recognised the critical role registered providers play in the delivery of social housing and meeting local housing need. A quarter of social housing let via the housing register in 2022 was owned by registered providers, and over half of new build social housing to be delivered over the coming two years will be built by registered providers. Whilst addressing the concerns raised throughout the scrutiny review, Panel Members were keen to understand the current processes whilst also develop, share best practice and build effective relationships already in place.
- 7.2. Given the increasing demand for social housing (through rising homeless and housing register applications), and the pressures on the Council's temporary accommodation budget, positively engaging with registered provider partners is vital if the Council is to meet housing need in the borough through partnership working.
- 7.3. The meetings enabled the Panel and officers to improve their understanding of the management of the affordable housing in the borough. The process also provided a platform to hold open and candid conversations about concerns so that they can be addressed, as well as the opportunity to see how the Council and its RP partners can support one another in the delivery of their objectives. The Panel had been mindful throughout the review to focus on where the Council can influence and add value, taking into account the Council's current and future resources. The successful delivery of the recommendations will require co-operation and effective communication.

8. Background Papers

- a) [Housing Associations Operating in Crawley OSC Report - SHAP/69](#)
- b) [Regulatory Standards \(Regulator of Social Housing\)](#)
- c) [Decent Homes Standard: Definition and Guidance for Implementation \(DCLG\)](#)
- d) [New Consumer Standards \(out for consultation\)](#)
- e) [Tenancy Strategy 2019-2024 Report SHAP/77](#)
- f) [Tenancy Strategy 2019-2024](#)
- g) [List of current RPs \(CBC website as of September 2023\)](#)
- h) [Housing Associations Scrutiny Panel 13 September 2023](#)
- i) [Housing Associations Scrutiny Panel 23 November 2023](#)
- j) [Housing Associations Scrutiny Panel 7 February 2024](#)
- k) [Housing Associations Scrutiny Panel 18 March 2024](#)

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