

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.

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:***
 - 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.***
 - Participate in local partnership and councillor activity convened by local authorities to address matters that relate directly to their stock and tenants.***
 - 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.***