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Tpas National Tenant Conference

Keynote Speakers: Overview and Q&A

Emma Gilpin, Tpas Consultancy Manager reports back with her notes from both keynote speakers at the Tpas conference. Emma presents her summary notes from the Wednesday morning keynote session with Kate Dodsworth Director of Consumer Regulation – Regulator of Social Housing (RSH) and the Thursday morning keynote session with Richard Blakeway, Housing Ombudsman.

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www.tpas.org.uk





Notes from Tpas Conference 6th and 7th July 2022

Keynote Speakers



Kate Dodsworth

Director of Consumer Regulation Social Housing

- Summary of what RSH are going to be doing and how they are going to do it
- Moving from reactive regulation to proactive

Referenced piece of work from 10 years ago when Kate was at Amicus Horizon looking at the benefits of involving tenants – still relevant – it Improves Services, Increases Satisfaction and Reduces Costs.

Regulation focusing on ensuring organisations improve services and ensure that residents live in good quality homes.

3 TESTS

- Regulation must make a meaningful difference ✓
- It has to be deliverable for organisations ✓
- It must not pull resources from providing services ✓

Tenant Satisfaction Measures (TSM's) will be used as a can opener, the final version will be coming out at the start of Autumn. The consumer standards will be revised and extended with the aim for consultation to start next year.

Two key focuses – Repairs & Communication

The regulatory system will be to mark the homework and they will ask for relevant documents, sit in on Board, talk to CEO and Directors and they are looking at how to get assurance from residents – talking to eg. scrutiny panel, they will want to see a well working structure, and also will want to find out it's working for residents who are not involved too. They won't want it to be too bureaucratic for smaller organisations.



CULTURE is critical – it needs a culture shift to put tenants at the centre. Boards need to be as focused on repairs, satisfaction, communication, anti-social behaviour as they are on compliance and building. It has to be led at Board/Councillors level in order to lead to lasting change.

Focus on core purpose – the mission of social housing.

To provide really good landlord services and quality homes

Will need evidence that Board/Councillors have assurance it is working well – how they get that assurance, what they need to know. Residents are needed to give that view. You should be going and finding the problems, looking at the worst homes, evidencing you know where those are and that you have a plan on how to get better.

Assurance not re-assurance – looking at (the publicity around appalling homes and services) how do you know it isn't you?

In 18 months' time the RSH will expect that evidence.



Notes from Tpas Conference Keynote Speakers

DATA is really important. Satisfaction, who is vulnerable, how to contact, homes, stock condition, complaints. **The operational needs to become strategic** due to its potential damage to reputation.

The Consumer Regulation Review is out at the end of the month and includes case studies about compliance on the current standards and prep for the future.

Now out with key lessons:

- Good governance and leadership are vitally important to good quality service
- Effective engagement with tenants will help landlords prepare for proactive consumer regulation
- Landlords must provide quality accommodation which is safe and well managed
- Landlords need reliable data and clear oversight of compliance
- Local authorities must also comply with the consumer standards



The Q&A

Q What about the human beings behind the TSM's?

A New standards will be far wider, when go out will have a mechanism to get assurance for tenants. Memorandum of understanding with Ombudsman to share information.

Q TSMs, how many will be asked to make sure they are relevant?

A Research and statisticians will look at the sample size and how it is collected, it won't be set in stone and can be developed further.

Q What about an organisation that is changing tenancy agreements adding in clauses and conditions?

A Tenancy is in the consumer standards.

Q Accuracy and meaningfulness of data?

A TSMs will be a universal benchmark but performance shouldn't be driven by performance measures alone - they are a can opener to allow residents to scrutinise and give the regulator something to start with.

Q Can the regulator put pressure on to stop the idea that social housing tenants are second class to private with an emphasis on home ownership?

A The remit from the government is for the tenants of social housing. Regulations should set in motion a culture shift - providing professional services, with good communications, efficient and effective good services showing respect and impacting on trust.



Notes from Tpas Conference Keynote Speakers



The Q&A continued

Q *How long will you be involved with organisations down the line to embed where there have been failures?*

A *Will stay with an organisation until things are put right and the right culture is in place to surface problems and address them. They need good leadership and we will be back in touch.*

Q *Will you look at vulnerable tenants?*

A *Cannot look at granular detail but expect the landlord to know their data where vulnerable tenants are and their needs, will want assurance that all tenants are getting good services and living in good homes.*

Q *Leaseholders?*

A *Not in the White Paper or the Regulations, but Ombudsman does take those complaints.*

Q *We do try to get involved but don't get anywhere, what then?*

A *We ask for liaison between the Board/Councillors and Tenant Involvement – see that tenants are heard, listened to and able to influence. Boards/Councillors must develop the best way for the organisation and the tenants, so the regulator is not prescriptive but will check that tenants can influence in whatever way.*

Q *There is a GI and VI for governance and finance will there be a TI for tenants?*

A *No final answer yet – thinking need the same rigour as those but need to be proportionate as don't want the whole sector to be non-compliant on day one. It needs to be meaningful and it's not as easy to quantify – everything leads to governance but we still need to decide.*

Q *Linked to funding?*

A *Local Authorities haven't been subject before but we are clear we don't want league tables, we don't want it to have a detrimental affect on the sector.*

Q *Stigma – get rid of the word 'social' homes for people.*

A *There could be debate around terminology but the main thing is that it's about providing warm, safe, decent homes and that we need to continue to think about how this is adapted to modern living.*

Q *Those who shout the loudest get things done what about others e.g. people with mental health issues who don't shout up?*

A *We will regulate in the interest of quiet people. Landlords must know about vulnerabilities and be on top of who needs to know and understand that, understand how all tenants receive a good service*

Q *What to do when organisations employ people who treat tenants badly?*

A *Duty for landlords to be clear and open about complaints .*

Q *Will all this continue to be funded?*

A *Political will on the left and the right that tenants can be served better and that regulations are good.*





Notes from Tpas Conference Keynote Speakers

Richard Blakeway Housing Ombudsman

Introduced by talking about a 20-minute film on the Guardian website from Tweneboa – there is archive footage from 1983, there were the same issues and towards the end Kwajo asks someone who says they wouldn't want to live in social housing. Profoundly shocking – it needs **vision and leadership** and **ASPIRATION** for social housing.

CULTURE is critical with strong leadership to get there.

Focussed on **FAIRNESS** – Ombudsman is independent and impartial with a unique perspective on issues. Moving from adjudicating just on individual disputes to looking at **SYSTEMIC** issues, seeking to expand looking at 1000s of cases and what are the trends, reflect on issues, services and how they are working. Themes:

- 1. Professionalism.** Delays, missed opportunities, missed appointments, failure to get things right. Re-occurring – require pro-active not reactive (repairs and maintenance over-reliant on tenants reporting). **DATA** and **Record Keeping** – small errors can have profound human consequences – communications, silences in communication and tone, lack of empathy need good listening
- 2. Governance.** Theme around investing into noise complaints. Complex relationships between agents, contractors, strategic thinking needed about this at governance level. Complaints should be central in the Board Room. Board members should identify and lead, reports to Board on these issues. Complaints teams should be defined, separate roles telling a story. Original self-assessment against the revised code, some organisations engaged residents with it, good to continue this.



- 3. Accountability and Learning.** Compliance focus, need learning now. Including transparency, aimed to support landlords to the right, positive culture. 'This isn't a compliance service it's a great service'.

The new Social Housing bill provides new powers including the Complaint Handling Code, broadening the remit and scope of orders including remedy and now the prevention of the issues re-occurring.

Complaints handling must be **timely as well as thorough**. Reduce times with a relentless focus on timely. **Promote access and awareness**.

Continue to be an alternative to courts, not just a presentation of evidence, an inquisitorial approach, asking for information and explanations. Remedies are reviewed and developed – starting to develop indicators – should issues re-occur bring them together and publish learning.



Notes from Tpas Conference Keynote Speakers

The Q&A

Q Holding contractors to account?

A Landlord in jurisdiction has the contractual relationship, not good enough to say it's the contractor's fault. You appointed them and you are accountable for monitoring, issuing penalties, break clauses etc. Need to enforce what residents are paying for. Use intelligence from complaints, surveys etc

Q Individual tenant complaints panels?

A Important role for residents in handling and dispute resolution. Designated panels from the democratic filter will change as that is removed but doesn't mean there's no role. In the Code at Stage 2 or 3 (if you have one with a reason why) there is an option to use residents as part of the review. This is positive as long as it doesn't lead to excessive delays e.g. 'we couldn't get the panel together'



Q Service failure then landlord doesn't comply with your recommendations?

A Formal investigations, if uphold complaint or aspect of it, can make Orders or Recommendations. Orders must be complied with in statute so can be pursued through the courts. Recommendations are not – often other ombudsman are more collegiate but now we have stronger powers. Original legislation remedy orders were very focused on the individual not about the overall approach to stop it happening again, the bill will now allow for this.

Q In work had a relationship with the Insurance Ombudsman assisting them to improve standards across industry, worked closely together and worked extremely well, opportunity for a similar approach?

A Independence is crucial but want to work effectively with a range of organisations to share learning. Going to create a centre for learning around things like repairs, cladding, heat and hot water, damp and mould, will work with organisations to explain how to implement solutions.

Q Access to complaints system and confidence to complain, what more can be done?

A Individual stories help. Code says no single route, about half come through by phone. Need multiple routes and organisations to raise awareness (in the Code). Awareness of the Ombudsman is quite high and could be higher plus there are people who may find it more challenging so targeted outreach is needed. Transparency – every two weeks the ombudsman publishes investigations, you see how we approach it, recommendations, orders, and learning. We work closely with our resident panel to build awareness, access and understanding.



Notes from Tpas Conference Keynote Speakers



Q&A continued

- Q** *My family has 5 different householders in social housing we wouldn't want to move away, my daughter needs a larger property but she will wait to stay in social housing.*
- A** *What we want is the best service – effective, responsive, not just 'oh well it's better than private'. Deliver aspirations, beneficial for this and future generations. Don't want organisations to be fatalistic eg damp and mould 'we've always had it'.*
- Q** *Assessment currently doing stuck on the stages, why getting rid of the informal stage?*
- A** *When we started some organisations had 1 stage and some 16! We want to avoid a postcode lottery it's important to have consistency. Felt 2 stages was reasonable (3 if justify) Reason to get rid of informal was to have a clear definition of a complaint not a service request. If you sort it out straight away it's not treated as a complaint but must be recorded. We had 2 cases where they had been treating the issue 'informally' for 2 years! That's what we want to get away from.*
- Q** *Use of words social housing, provide homes of high standard, good quality, safe and warm – that's what it means to me, what about you?*
- A** *Agree – can be debates about the term but a warm, safe, decent home and security – feel we can be proud of that in our country. Lifestyles are changing, e.g. noise issues, and we need to respond. Complaints used to give unique perspective alongside other measures.*