

Consumer Regulation – the new regime

16 August 2023

Introduction – Sharron Webster (Chair)

Our speakers:

- Angela Holden, Assistant Director of Consumer Regulation
- Jenny Osbourne, Chief Executive - TPAS
- Jenny Allinson, Director of Corporate Governance - Bernicia
- Emma O'Shea, Chief Operating Officer - Aster Group
- Darren Hooker - Trowers

Agenda:

- Summary of the standards
- Speakers
- Panel session for questions

We will be recording so that you can share

Themes from attendees' questions

Themes:

- Tenant engagement
- The board
- Naughty step?
- Smaller providers
- Funders
- Self referral
- Key challenges
- Gearing up for IDA

Future sessions

Future sessions:

- Tenant engagement – let's share knowledge and good practice
- Access to information scheme
- Professionalism (maybe with CIH)
- Smaller providers?
- Any others? Please comment

Consumer standards consultation



Regulator of
Social Housing

July 2023



Consumer Standards Consultation

What we are proposing and
how to have your say

The Safety and Quality Standard



The Safety and Quality Standard

Building on and replacing the existing Home Standard

This standard would mean landlords have to provide their tenants with safe, good quality homes and effective landlord services.

Requirement 1 – quality of homes

Requirement 2 – decent homes

Requirement 3 – health and safety

Requirement 4 – repairs, maintenance and improvements

Requirement 5 – adaptations

The Transparency, Influence and Accountability Standard



The Transparency, Influence and Accountability Standard

Building on and replacing the existing Tenant Involvement and Empowerment Standard and Tenant Satisfaction Measures Standard

This standard would mean landlords have to be open with their tenants and treat them with fairness and respect.

Requirement 1 – fairness and respect

Requirement 2 – diverse needs

Requirement 3 – engagement with tenants

Requirement 4 – information about landlord services

Requirement 5 – performance information

Requirement 6 – complaints

Requirement 7 – self-referral

The Neighbourhood and Community Standard



The Neighbourhood and Community Standard

Building on and replacing the existing Neighbourhood and Community Standard

This standard would mean landlords have to work with other organisations to help make sure tenants can live in safe and well maintained neighbourhoods.

Requirement 1 – maintenance of shared spaces

Requirement 2 – local cooperation

Requirement 3 – domestic abuse

Requirement 4 – safer neighbourhoods

The Tenancy Standard



The Tenancy Standard

Building on and replacing the existing Tenancy Standard

This standard would mean landlords have to allocate and let homes fairly. It also sets requirements for how landlords manage and end tenancies.

Requirement 1 – allocation and lettings

Requirement 2 – tenure

Requirement 3 – tenancy sustainment and evictions

Requirement 4 – mutual exchange



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Consumer Regulation from 2024 onwards

Angela Holden – Assistant Director of Consumer Regulation

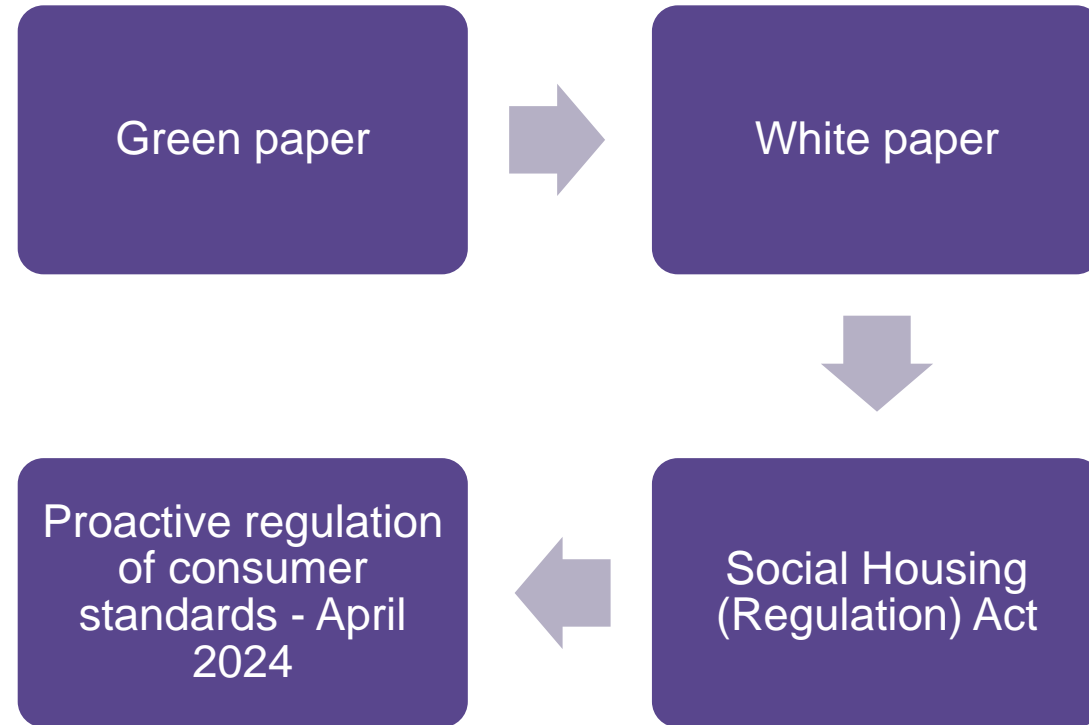
August 2023



Session outline

- Context – what has been happening
- Regulation from 2024 onwards
- Learning from pilot assessments
- Learning from our casework
- Preparing to implement the changes

Context



What is changing?

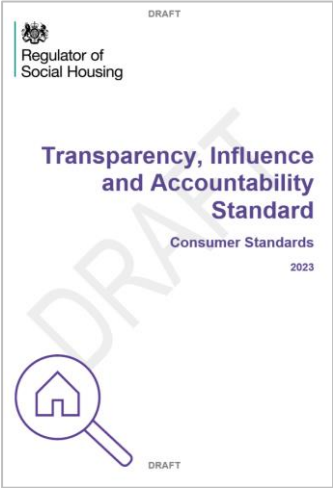
- New objectives, powers and function
- Proactive consumer regulation
 - Serious detriment test removed
 - Inspections
 - Tenant Satisfaction Measures
- New consumer standards / code of practice
- Nominated individuals – safety and consumer standards
- Access to information scheme
- Decent Homes Standard (details to come)
- Joined up with BSR and Housing Ombudsman

Proposed consumer standards

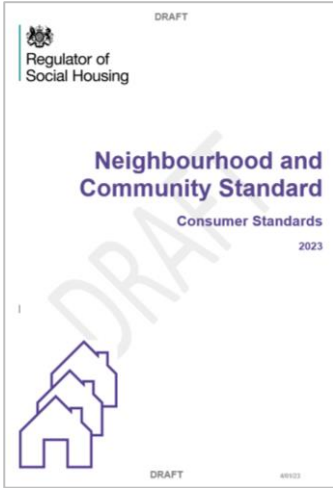
Themes: Safety - Quality - Transparency - Influence - Accountability - Neighbourhood - Tenancy



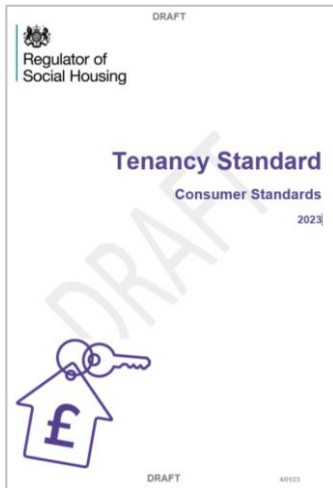
- Stock condition – individual property level.
- DHS compliance
- H&S compliance
- Effective repairs service
- Adaptations



- Fairness and respect
- Diverse needs and equitable outcomes for tenants
- Engagement with tenants
- Information about services for effective scrutiny
- Complaints



- Maintenance of shared spaces
- Local cooperation
- Safer neighbourhoods
- Domestic abuse



- Allocations and lettings
- Tenancy sustainment and evictions
- Tenure
- Mutual exchange

Pilot inspections

- Focus on two broad areas – service outcomes and accountability
- Pilots on large private registered providers and local authorities
- Methodology – focus on key risks, document review, meeting observations, interviews with senior staff and councillors, engagement with tenants.
- Lessons:
 - Being able to evidence outcomes and compliance matters – not just policies and procedures.
 - Effective governance structures are key to demonstrating outcomes.
 - Need for clarity of reporting, oversight and accountability
 - Having good quality data about stock, stock condition, tenants is vital
 - Accountability mechanisms – need to be established, effective and evidenced.
 - Making good use of performance data – TSMs, KPIs, triangulating information.
 - How you hear the voice of your tenants is critical.

Lessons from our casework

- Last year, 13 breaches of consumer standard with serious detriment, all included breach of Home Standard.
- Key lessons:
 - Understand your responsibilities – legal duties, contractual duties, landlord duties
 - Quality of data – is it accurate, accessible, joined-up?
 - Do you understand what your stock needs? And what your tenants need?
 - Ensure processes and procedures are robust – have you tested them? Do they allow you to manage challenges such as access?
 - How to identify when things are going wrong – reporting, oversight, accountability
 - If someone else is delivering a service, how do you ensure delivery is doing what you expect?
 - Engage with your tenants – for access, but also to hear when things are going wrong.

Preparing for the changes to regulation from 2024



Tenant engagement – including understanding and respond to tenants' concerns



Data - understand your stock and your tenants



Systems and processes – ensuring they're fit for purpose



Leadership, culture and transparency



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The Regulator of Social Housing regulates registered providers of social housing to promote a viable, efficient and well-governed social housing sector able to deliver and maintain homes of appropriate quality that meet a range of needs.



Question time



question time

Tenant engagement

- Subjectivity of measuring tenant engagement – How will the Regulator assess and measure meaningful and effective engagement with residents?
- What did the inspection pilots lead the Regulator to conclude of direct engagement with tenants during inspection?

Tenant engagement

- How does the tenant voice feed into board and organisational decision making?
- How do the speakers see scrutiny of strategies, policies and services in relation to neighbourhoods being delivered?
- Interested in views for improving genuine engagement over a diverse and spread customer base
- Do RPs need to have a customer experience committee in place?

The board

- What should board members be focussing on with the new consumer standards?
- What kind of oversight role should the board have?
- What, if anything, has changed/ should at board level?

Will there be a naughty step?

- Do you believe that a significant number of organisations will fall short of the standards (initially) and what is likely to happen?
- Where do you perceive the sector is most behind the curve in terms of readiness for the new standards?

What will funders make of the changes proposed?

- What will funders think of all of this?
- What do we need to think about from a funder perspective?

Self referral

- Guidance on approach to transparency in the absence of serious detriment test
- Guidance on "materiality"

Challenges

- What in relation to the new consumer standards do you feel will be the biggest stretch for the sector?
- What are the key challenges for landlords identified through the pilots and thoughts on overcoming them?

Learning from and gearing up for IDA

- What are the key learning points from the consumer pilot IDAs and how are they likely to shape forthcoming IDAs?

From both the pilot associations' and Regulator's perspective

Smaller providers

- Please comment on impact and approach to smaller providers

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