

HOUSING MANAGEMENT CONSULTATIVE COMMITTEE

Agenda Item 14

Brighton & Hove City Council

Subject:	Resident involvement in the 2010 annual report to council tenants and leaseholders and development of local service offers		
Date of Meeting:	14 June 2010		
Report of:	Director of Housing, Culture & Enterprise		
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Wards Affected:	All		

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1. SUMMARY AND POLICY CONTEXT:

- 1.1 The council is to produce an annual report to all tenants and leaseholders on our performance as their landlord and setting out our plans and service offer to tenants for 2010/11. This report to Housing Management Consultative Committee sets out our plan and timetable for involving residents in producing and scrutinising this annual report for the year ending 31 March 2010. It also outlines the proposed approach and timetable for involving tenants and leaseholders in developing local service offers.

2. RECOMMENDATIONS:

- 2.1 (1) That the Housing Management Consultative Committee notes the plan and timetable set out in Appendix 1 to this report for involving residents in producing and scrutinising the annual report to tenants and leaseholders for the year ending 31 March 2010.

(2) That the Housing Management Consultative Committee notes the outline plan and timetable set out in paragraphs 3.4 to 3.6 to this report for involving residents in developing and agreeing local offers for service delivery.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 A report to the Housing Management Consultative Committee meeting in March outlined the new arrangements for regulating the council's landlord services. It explained landlords are now required by 1 October each year to publish for their tenants, and share with the Tenant Services Authority (TSA), a report on how they are meeting the TSA standards, including their local offers. The tenant involvement and empowerment standard requires landlords to support co-regulation with their tenants by providing tenants with a range of opportunities to influence how providers meet all the TSA's standards and to scrutinise performance against all standards and in the development of the annual report.
- 3.2 The 2010 annual performance report to tenants and leaseholders will:
- assess how we currently meet regulatory standards and how we have measured that;
 - note any gaps and our improvement plans to fill those gaps;
 - include our offer to tenants against the standards for the next year;
 - set out our plans for developing locally tailored service offers to be implemented by 1 April 2011; and
 - detail how tenants have been involved in producing and scrutinising the report.
- 3.3 The plan and timetable for producing the annual report to be published by 1 October 2010 are set out in Appendix 1. They aim to involve as wide a range of residents as possible in the production and scrutiny of the report within the time available, including:
- tenants and leaseholders in all tenant and resident associations and other existing resident groups;
 - tenants and leaseholders not currently involved in the formal resident participation structure who have, through the resident involvement survey reported to the Committee's last meeting, indicated their willingness to become involved in having a say in how their homes and neighbourhoods are managed in other ways;
 - tenants and leaseholders from all sections of the community and in all equality and diversity strands;
 - all tenants and leaseholders, through the Homing In newsletter and our website.
- The Chairman will be requested to call a special meeting of the Committee in the first week of September to scrutinise the final draft of the report and recommend it (subject to any comments by the Committee) for approval by the Cabinet Member for Housing at her meeting on 8 September 2010.
- 3.4 Our plans for developing locally tailored service offers to be implemented by 1 April 2011 also involve engaging as many residents as possible, using the resident involvement database and other means as well as working closely with our resident working groups and tenant and resident associations. We

plan to contact tenants and leaseholders during the summer and autumn to find out what their priorities are for the range of services that we deliver, to help us to develop service pledges. We will use the resident involvement survey database to contact residents on the services and areas that they have expressed an interest in. A range of methods will be employed to engage with residents, including questionnaires, community events and through daily contact.

- 3.5 Once we have established what residents' priorities are, we will work with existing resident groups to work up the detail of the service pledges and what the remedies would be if we fail to meet our pledges. We then intend to consult with residents on the pledges and put them to the Housing Management Consultative Committee for scrutiny and discussion and to recommend approval. The service pledges will be implemented by 1 April 2011.
- 3.6 Initially we will be looking at local offers on a citywide basis. However, there will be opportunities for us to vary and agree standards to meet the priorities and needs of particular groups, such as sheltered tenants, or local priorities in particular neighbourhoods. The draft Resident Involvement Strategy, elsewhere on the agenda, also sets out ways we intend to strengthen our partnership with residents at a local or neighbourhood level, to give residents opportunities to agree local priorities and to report back on local performance.

4. CONSULTATION

- 4.1 Housing Management officers discussed and agreed the outline proposed arrangements for resident involvement in the annual report and development of local service offers with residents from the Tenant Compact Monitoring Group (TCMG) at a resident involvement workshop on 27 April 2010. TCMG supported the use of the resident involvement database resulting from the resident involvement survey in December 2009 and of the draft resident involvement strategy, elsewhere on the agenda, to provide a range of ways to involve residents in producing and scrutinising the annual report and developing local service offers.
- 4.2 The proposals were also presented to and acknowledged by the City Assembly of tenants and leaseholders on 15 May 2010 and to Area Housing Management Panel meetings in May and June.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The costs of producing the annual report and involving residents will be met from within the existing 2010/11 Housing Revenue Account Budget.

Legal Implications:

- 5.2 By section 204 of the Housing and Regeneration Act 2008 the regulator, the Tenant Standards Authority (TSA), may require a provider to prepare annual reports assessing the registered provider's performance by reference to standards set by the regulator. Failure to comply with the regulator's request without reasonable excuse is an offence punishable on conviction to a fine not exceeding £5000. The TSA has required that an annual report for the year ending 31 March 2010 should be made available to tenants by no later than 1 October 2010. The plan and timetable set out in the report will assist the Council in complying with its legal obligations. No adverse Human Rights Act implications are considered to arise from the report.

Lawyer Consulted: Liz Woodley

Date: 27th May 2010

Equalities Implications:

- 5.3 The annual report and development of local service offers will be undertaken in line with the TSA's Tenant Involvement and Empowerment standard, which requires registered providers to understand and respond to the diverse needs of tenants in meeting all of the standards, including in relation to the seven equality strands and tenants with additional support needs.

An Equalities Impact Assessment will be completed on work to meet the TSA's requirements.

Sustainability Implications:

- 5.4 The TSA standards promote the use of engagement and partnership with tenants to support sustainable communities. The Neighbourhood and Community standard includes a requirement for registered providers to co-operate with relevant partners to help promote social, environmental and economic well being in the areas where they own properties. The annual report will include the council's performance in this area and improvement plans and local service offers will be developed in relation to this standard.

Crime & Disorder Implications:

- 5.5 The annual report and local service offers will include the council's performance on dealing with anti-social behaviour and a local service offer will be developed in relation to anti-social behaviour.

Risk and Opportunity Management Implications:

- 5.6 It is currently a regulatory requirement of the TSA as set out in its regulatory framework that the council should:

- involve tenants in producing and scrutinising the annual report for the year ending 31 March 2010 and make it available to tenants by no later than 1 October 2010;
- offer tenants opportunities to agree how some services can be tailored to meet local priorities. Where tenants want local tailoring and choices to reflect their priorities, the council should consult meaningfully with tenants and act reasonably to develop a local offer in response. Local offers for service delivery should be in place by 1 April 2011.

Where agreement cannot be reached on local offers, the TSA states it would encourage the landlord and tenants to seek independent mediation. The TSA states it wants co-regulation between landlords and tenants to work to resolve any issues; 'Only in exceptional circumstances (such as when the provider is not delivering services in line with the outcomes set out in the TSA standards and has failed to address this) and where it is reasonable and proportionate will the TSA consider more formal intervention'.

Corporate / Citywide Implications:

- 5.7 In regulating councils' landlord function the TSA has committed to work closely with the Audit Commission.

SUPPORTING DOCUMENTATION

Appendices:

1. Timetable for 2010 annual performance report to tenants and leaseholders

Documents In Members' Rooms

None

Background Documents

1. *The regulatory framework for social housing in England from April 2010*
Tenant Services Authority, March 2010

Plan and timetable for 2010 annual performance report to tenants and leaseholders

Date	Action
early May	Copy of new regulatory framework and standards sent to all tenant and resident associations
15 May	Consult City Assembly on plan and timetable and seek views on whether the council currently meets standards on tenant involvement and empowerment, customer service, choice and complaints, understanding and responding to the diverse needs of tenants and value for money
w/c 24 May	Advise all tenants and leaseholders through Homing In of standards and how to get a copy and invite comments on how the council is meeting them
24 May - 2 June	Consult Area Panels on plan and timetable and seek views on whether the council currently meets standards on neighbourhood management, local area co-operation and anti social behaviour
May/June	Ensure all resident groups are aware of relevant standards and annual report plan
14 June	Housing Management Consultative Committee to discuss and sign off plan and timetable
June	Produce draft report and check accuracy with staff
June/July	Hold one-off focus group meetings with respondents to the resident involvement survey who indicated interest in focus groups and reflect a cross section of our resident profile, to discuss in detail how the council meets a standard and how it could improve
w/c 28 June	Circulate draft report to all tenant and resident associations and other resident groups for scrutiny and comments
w/c 28 June	Put draft report on council website and email resident involvement survey respondents who gave an email address with link and request feedback
w/c 28 June	Make copies of draft report available at housing offices and send to residents on request
June/July	Seek to engage residents who are under-represented in existing resident groups e.g. younger residents, BME residents through Facebook and other means
July	Officers attending resident meetings to discuss draft report
26 July	Deadline for comments on draft report and focus group feedback
early Aug	Produce final draft report
5 Aug	Homing In Tenant Editorial Board to help with design of final draft
early Sept	Housing Management Consultative Committee to scrutinise and sign off final draft
8 Sept	Cabinet Member for Housing to approve final report
Sept	Printing and distribution of report to all tenants and leaseholders
1 Oct	Deadline for publication of report