

# HOUSING MANAGEMENT CONSULTATIVE COMMITTEE MEETING

## Agenda Item 24

Brighton & Hove City Council

|                         |   |                                    |                     |
|-------------------------|---|------------------------------------|---------------------|
| <b>Subject:</b>         | <b>Annual report to council tenants and leaseholders 2010</b> |                                    |                     |
| <b>Date of Meeting:</b> | <b>1 September 2010</b>                                       |                                    |                     |
| <b>Report of:</b>       | <b>Director of Housing, Culture &amp; Enterprise</b>          |                                    |                     |
| <b>Contact Officer:</b> | <b>Name:</b>  | <b>Carol Jenkins</b>               | <b>Tel: 29-3832</b> |
|                         | <b>E-mail:</b>  | Carol.jenkins@brighton-hove.gov.uk |                     |
| <b>Key Decision:</b>    | <b>Yes</b>  | <b>Forward Plan No: 17566</b>      |                     |
| <b>Wards Affected:</b>  | All   |                                    |                     |

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The council is required under the current regulatory framework for social housing landlords to publish by 1 October 2010 for our council tenants (and share with the Tenant Services Authority) a report for the year ending 31 March 2010.
- 1.2 A full and a summary report have been produced with the involvement and scrutiny of tenants and leaseholders, in line with the plan and timetable agreed with the Housing Management Consultative Committee on 14 June 2010.

#### 2. RECOMMENDATIONS:

- 2.1 (1) That the Housing Management Consultative Committee recommends that the Cabinet Member for Housing approves the annual report to council tenants and leaseholders 2010 at Appendix 1 for distribution to the Tenant Services Authority and council tenant and resident associations and to all council tenants and leaseholders who request a copy;
- (2) That the Housing Management Consultative Committee recommends that the Cabinet Member for Housing approves the summary annual report to council tenants and leaseholders 2010 at Appendix 2 for distribution to all council tenants and leaseholders.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The regulatory framework for social housing which came into effect on 1 April 2010 requires 'registered providers' (including council landlords) to publish an annual report to their tenants containing a self assessment of their performance against the standards set by the Tenant Services Authority (TSA). The report is to be a key mechanism for landlords to make themselves accountable to their

tenants (as part of 'co-regulation') and for the TSA to assess landlords' compliance with the TSA standards.

- 3.2 The TSA's requirements are that the annual report should:
- assess how the council is currently meeting the TSA standards, including how it measures its compliance;
  - note any gaps and any associated improvement plans;
  - include the council's service offer to tenants against the standards over the current year;
  - include reference to how the council has gained assurance on the outcomes reported, including how tenants have been involved in scrutinising performance and, where appropriate, use of external validation, peer review and benchmarking;
  - detail how tenants have been involved in producing and scrutinising the report;
  - set out the council's plans for developing locally tailored offers.

It expects an honest and robust self assessment that is evidence based. Landlords must meet the commitments they make to tenants in the report.

- 3.3 Following discussion with the residents' Tenant Compact Monitoring Group in April, and presentations to tenants and leaseholders at the City Assembly and Area Housing Management Panels in May and June, our plan and timetable for involving residents in producing and scrutinising the annual report for the year ending 31 March 2010 were agreed by the Housing Management Consultative Committee on 14 June. These aimed to involve as wide a range of residents as possible in the production and scrutiny of the report within the time available.
- 3.4 We followed the agreed plan and the full report details how we involved residents in assessing how we meet the TSA standards and in contributing to and checking the report. The date of the Homing In Tenant Editorial Board meeting was re-arranged to 20 August and we will provide an oral update of their feedback on the reports at the meeting of the Housing Management Consultative Committee on 1 September.
- 3.5 Tenants and leaseholders are strongly featured in both versions of the report in pictures and their own words, demonstrating the key role they have in co-regulating our housing services. In addition to residents' comments on how we meet the TSA standards, we received around 100 comments specifically on the consultation draft of the report, which was circulated and put on the council's consultation web portal for comment from 2 to 26 July.
- 3.6 In response to residents' comments that the full report which fulfils all the TSA's requirements is too long, we have produced a summary version to send to all tenants and leaseholders with the September edition of Homing In magazine. The full report will be sent to the TSA and tenant and resident associations and be made available to other tenants and leaseholders who want a copy. Both versions will be publicly available on our website.

#### **4. CONSULTATION**

- 4.1 Council tenants and leaseholders have been extensively involved and consulted on the report. The full annual report details the consultation that has been carried out and responses have shaped the final version of the report.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 There are no direct financial implications arising from the recommendations in this report. The cost of producing and distributing the annual report to council tenants and leaseholders 2010 is included in the Housing Revenue Account Budget 2010/11.

*Finance Officer Consulted: Susie Allen*

*Date: 19/8/10*

##### Legal Implications:

- 5.2 By section 193 of the Housing and Regeneration Act 2004 the TSA may set standards for registered providers as to the nature, extent and quality of accommodation, facilities or services provided by them in connection with social housing. Section 204 of that Act permits the TSA to require a registered provider to prepare an annual report assessing the provider's performance by reference to the section 193 and 194 standards, and to send a copy to the Authority within a specified period. Failure to comply with a requirement is a criminal offence, punishable with a fine of up to £20,000.

*Lawyer Consulted: Liz Woodley*

*Date: 19/8/10*

##### Equalities Implications:

- 5.3 The annual reports outline how the council as landlord seeks to address equalities and diversity issues.

##### Sustainability Implications:

- 5.4 The annual reports outline how the council as landlord seeks to address sustainability issues.

##### Crime & Disorder Implications:

- 5.5 The annual reports outline how the council as landlord seeks to address anti-social behaviour and community safety issues.

##### Risk and Opportunity Management Implications:

- 5.6 The TSA standards specify that landlords must meet the commitments they make to tenants in the annual report. The TSA states in its regulatory framework that it will take a risk-based and proportionate approach in considering any further regulatory intervention in respect of landlords' performance on their

commitments, as it wants an approach that encourages registered providers to aspire to better service outcomes and avoids perverse incentives from regulation.

Corporate / Citywide Implications:

- 5.7 Publication of this honest and robust assessment of our performance to council tenants and leaseholders supports the council's priority of open and effective city leadership.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The council is required to publish the annual report as explained in the body of this report.
- 6.2 The report plan and timetable were agreed with Housing Management Consultative Committee on 14 June 2010.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The council is required to publish an annual report for its tenants and share it with the TSA by 1 October 2010 to meet the TSA's requirements under the current regulatory framework. The TSA has indicated it will accept a shorter summary report for general distribution to tenants with the longer version for tenants who want it.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Annual report to council tenants and leaseholders 2010
2. Annual report to council tenants and leaseholders 2010 – Summary version

**Documents In Members' Rooms**

None

**Background Documents**

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

[http://www.tenantservicesauthority.org/upload/pdf/Regulatory\\_framework\\_for\\_social\\_housing\\_in\\_England\\_from\\_2010.pdf](http://www.tenantservicesauthority.org/upload/pdf/Regulatory_framework_for_social_housing_in_England_from_2010.pdf)