



Tenant & Resident Scrutiny Panel Report

February 2014

Letters Panel

Panel Members:

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Chair's Foreword

This is the first scrutiny of Housing services that this group of panel members has ever undertaken. I am a linguist by training and so it is perhaps not surprising that I elected to join those fellow panel members who decided to look at what is referred to as 'Standard Letters'. The first thing that became evident when we looked at the letters we were given was the register. The register is the means by which the content of a letter is conveyed. In short, the language used which is indicated by the choice of words and the complexity of the sentences.

Though Brighton & Hove is held to have a large population of highly literate and numerate residents, this is by and large a consequence of having within our boundaries two large and extremely active universities as well as the expanding City College. Further these factors have led to an overlooking of the fact that we also have a considerable number of individuals who have extremely low levels of effective skills in either one or the other, and in some instances both basic literacy and numeracy skills. A fact we refer to in our report.

Before I say a few words about the scrutiny, I would like to thank all those officers who have given so unstintingly of their valuable time. We were further enormously encouraged by the evident willingness that all those officers displayed.

An issue that came to light during the process of scrutinising was the lack of appropriate data to evaluate. I refer here to the fact that though the general process of sending letters was recorded, we could not retrieve any information of response rates to given letters. In the case of rent arrears for instance we were informed that a given set of letters were sent, along with home visits between the initial indication of rent arrears and a court date for repossession. However we could not determine at what stage rent arrear concerns were resolved aside from the bald statement that 700+ letters were sent out at what we will call stage one and that only 10 evictions were granted. Though this fact is no doubt highly commendable and to be celebrated, it does little to indicate the effectiveness of given letters within that process.

Resident Scrutiny of Housing Services is a very new process for us all. I am encouraged by the high level of motivation by both my fellow panellists and the officers we have met during this process that we can together turn this opportunity into a means of improving matters for Housing Services, its staff and the residents that use these vital services.

Miriam Binder

Chair of the Letters panel for the Brighton & Hove Tenant & Resident Scrutiny Panel

1. Introduction

1.1 This panel was one of two pilot reviews set up by the Tenant and Resident Scrutiny Panel (TRSP). The purpose was to look at the standard letters sent out by the Housing Service to see if they are:

- Clearly written
- Consistent in style and tone
- Properly pitched at their target audience
- Free of jargon
- Communicating the right information
- Encouraging residents to respond to housing services and/or resolve the issue
- Presenting a positive impression of the Housing Service
- Getting results.

1.2 If successful, such letters will get a timely response so issues can be resolved sooner.

1.3 The panel also felt it is useful for the Housing Service to continue to use other ways of communicating with residents when these might be more effective. It was important for officers to record each of the ways a resident would prefer to be contacted.

2. Why use standard letters?

2.1 Used effectively, standard letters can be an efficient way of communicating with residents about a range of issues regarding their tenancy: from rent arrears to asking for access to carry out a survey. However, poorly worded standard letters might:

- Discourage residents from resolving the issue
- Force residents to contact the service to ask for more information thereby using up officer time unnecessarily
- Give a negative view of the Housing Service.

2.2 The panel felt it was important to ensure that sufficient controls are in place to ensure that the Housing Service uses effective, consistent and clear standard letters.

3. Scope of the panel

3.1 This review was not carried out because the TRSP had any fixed ideas about the standard letters used by the Housing Service. It was an issue that had been raised at a number of forums. The panel looked at a sample of the Housing Service's standard letters and talked to the relevant officers, as well as independent support and advice agencies like the Citizens Advice Bureau (CAB) and Brighton Housing Trust (BHT).

Witnesses

3.2 The panel spoke to the following council officers:

- Lynn Yule, Housing Income Manager
- Simon Court, Senior Solicitor, Housing & Litigation
- Laura Turner, Housing Performance & Improvement Manager
- Robert Keelan, Housing Neighbourhood Manager
- Dave Arthur, Housing Leasehold Manager
- Siobhan Newman, Housing Recovery Officer.

3.3 Panel members, or scrutiny officers, also met or corresponded with:

- Brighton Housing Trust (BHT)
- Citizens Advice Bureau (CAB)

3.4 The panel sought residents' views on the subject, by:

- Emailing a survey to Chairs of city Area Panels and Resident Associations
- Asking for comments on the BHCC Resident Community webpage
- Emailing all city Councillors to ask whether the subject of standard letters was one that people had contacted them about.

3.5 Unfortunately there was only a limited response from residents. It is clear from this exercise that the TRSP needs to develop more effective methods of engaging with tenants and residents.

4. Types of letter reviewed

4.1 The panel looked at a number of the Housing Service's standard letters, dealing with:

- Rent arrears
- Garden maintenance
- Leaseholder service charges
- Obstructions to common-ways.

4.2 We also looked at sample letters from other local authorities and Registered Social Landlords, including organisations considered to have developed best practice.

5. Standard letters

What is a standard letter?

5.1 Standard letters are letters that have been drafted in advance and then saved as a template on computer systems. The same letter will then be sent

out to a large number of people, perhaps with some details added as appropriate.

5.2 Standard letters are commonly used when an organisation needs to:

- Send out a large volume of similar letters
- Save time
- Ensure that the information and advice it gives is consistent and accurate (and can be used if evidence is needed).

Individual letters are written in situations when a standard letter would not be appropriate or does not exist.

5.3 The panel heard from the Housing Income Manager that letter templates were used to '*ensure consistency and equality*'.

5.4 Some standard letters are purely informative: for example the letter sent to welcome new tenants. Other letters are intended to deal with specific problems: rent arrears, blocking common-ways, or having untidy gardens. Therefore many of the standard letters need to deliver negative, or difficult, messages rather than good news. The panel felt that it is vital for the service to remember that the purpose of each of these letters is to resolve the issue as soon as possible.

Why look at standard letters?

5.5 There are a number of problems which are commonly associated with standard letters produced by public sector organisations. These include:

5.6 **Impersonal** – One of the drawbacks of a standard letter is that it can be sent to anyone. A letter which feels that it has specifically been written for you, might have more impact.

5.7 **Tone** – People report finding standard letters threatening. This is not surprising given that some standard letters are meant to be stern – the intention of these kinds of letters is to make people aware that they are, or could be, in breach of their tenancy agreement and how to resolve this. The letter will explain why certain actions are unacceptable, while also warning about what may happen if the issue continues. However, there is an obvious balance between encouraging people to acknowledge there is a problem which needs addressing and causing them unnecessary concern or making them angry.

5.8 **Language** – People can find standard letters hard to understand if they are:

- Too long
- Not written in plain English, or customer friendly language
- Use jargon
- Not using enough positive, or active, language

- Poorly drafted and therefore unclear.

5.9 These things are best avoided in all letters. Any faults in the original letter template will become a big issue if it is a letter that will be sent to large numbers of people. So it is important that standard letters are carefully thought out and checked for sense and readability. A standard letter can be judged a success if it is read and understood by residents, who then take action to resolve the issue.

5.10 **Accuracy** – Some standard letters, particularly those concerning rent arrears and other breaches of tenancy agreements, may need to serve as legal proof that the landlord has acted appropriately. For example by contacting tenants as soon as arrears develop and offering appropriate advice. As this can change over time, these letters must be regularly reviewed and amended. It is important that tenants who may end up facing legal action are given the most up-to-date, accurate and helpful advice possible.

5.11 **Special requirements** – Even clear letters in plain English can be a problematic way of communicating with the following groups:

- People who don't have English as a first language
- Those with literacy problems
- People who have specific mental or physical health issues or learning disabilities which mean that written communications are difficult for them to deal with.

5.12 While standard letters are an important means of communication it is important that they are not the only tool available. Organisations need to have effective means of identifying when standard letters are inappropriate and ensuring that all staff know how important it is to use the most appropriate means of communication for each resident. ***The panel hope that the special requirements of residents are properly logged by officers to make sure that staff contact residents in the most appropriate way.***

5.13 **Monitoring** – Standard letters are a major means of communicating with residents around a variety of issues. However, they are not the only way and only really make sense if they are effective. So it is important that services find ways to monitor the effectiveness of their standard letters. The panel believe that this is particularly important when dealing with potential breaches of the tenancy agreement.

5.14 **Targeting** – People have reported that standard letters have been sent to many people when they might have been better off targeting a much smaller group of residents or even an individual. Many people do find official communications distressing, even if they themselves have done nothing wrong and are not directly being reprimanded for anything. So it is good practice for organisations to think carefully before sending standard letters out to lots of people. The panel heard that this may be the case, for example in the letters sent out to all residents about obstacles in common areas. Another instance is when regular dog fouling occurs in common ways: sending a letter

warning of the consequences of this to households without dogs can give a poor impression of the Housing Service and the council in general.

5.15 The corporate message - Organisations are very aware of the varied means they can communicate with customers. It is imperative that they view standard letters in the same light. Standard letters are a major form of communication. For some people this may be their main point of contact with the council. It is therefore important that standard letters are written with the same level of care as other means in which the council communicates with its customers.

5.16 Escalation – Some of the most important standard letters are not stand-alone but are sent as part of a series of letters asking the resident to contact the Housing Service to address concerns.

5.17 With these 'series' letters, it is important that each letter places increased emphasis on resolving the issue and that the timing of these letters is as effective as possible. If the main aim of the letters is to get an individual to recognise that there is a problem and to contact the service to find a solution, then it is vital to know whether letters sent at daily, weekly or monthly intervals are most successful in getting people to engage.

Tone

5.18 Any social landlord, when communicating generally with tenants and leaseholders, should aim to be courteous. This becomes more complicated with letters designed to get a response from tenants who are potentially in breach of their tenancy. In these instances, the intention is to make the resident aware of the possible consequences of a continued breach of their tenancy conditions: whilst simultaneously seeking to encourage the resident to engage with services and begin to address the concerns. For example the panel thought the fixed notice used regarding removal of items for common ways '*...was stern and would help to eradicate the problem.*'

5.19 It is also important that letters are no more threatening than they need to be: there is nothing to be gained by distressing people. It needs to be remembered that some social housing tenants are particularly vulnerable. The council spends a good deal of time and effort in trying to present a positive image with service users. Where possible the council should remain customer friendly, even when delivering potentially difficult news in its letters.

5.20 According to the panel, some of the letters were thought to be '*awkward*'. An example given by the panel was '*you do not have an outstanding claim for housing benefit*' which it was suggested could be clarified to say '*our enquiries have shown that you do not*'.

5.21 The panel was pleased to hear that Cllr Bill Randall, Chair of the Housing Committee, has personally reviewed some of the council's rent arrears letters, amending them to make them easier to understand and more personal (for instance using "*we*" rather than "*the council*").

5.22 The panel welcome the fact that the council is aware of the importance of tone in its standard letters, and that this awareness is driven by the most senior and experienced people in the Housing Service. ***The panel think it would be good to see similar exercises undertaken with other standard letters. This would also ensure that a consistent tone is taken in standard letters.***

Accuracy

5.23 Some standard letters serve a dual purpose – to encourage tenants to respond to a problem and provide proof that the landlord has followed procedures properly in case the matter ends up in court.

5.24 Again, the panel is pleased that this revision is undertaken regularly. However, given that arrears letters have also been rewritten by the Chair of Housing Committee, there would appear to be a risk that different reviewers end up editing out each others' revisions. ***The panel hopes that there are procedures in place to make sure that this does not happen.***

The need to include legal information

5.25 Standard letters must include legal information if they relate to their tenancy or a breach of tenancy conditions. The Senior Solicitor told the panel that:

'It was important that the legal terms were in plain English and understood by tenants.'

5.26 Standard rent arrears letters are regularly reviewed by Housing staff, especially in order to reflect Court feedback. For example, when seeking a Possession Order in the County Court, it is vital for the landlord to be able to prove that it has engaged appropriately with a tenant from the start. Rent arrears letters are key to providing this proof. It is therefore important that the council's standard rent arrears letters accord with what the courts demand. This changes over time, and so the form of the relevant standard letters needs to evolve too.

Language/plain English

5.27 Not all local government officers are fully aware of the importance of writing in plain English. They can produce jargon-filled documents which are not easy to read. This is not a problem for internal communications, where council officers understand each others' language. But it is a problem when those officers are writing letters to residents.

5.28 The panel also heard that Housing staff have had training courses. Recovery Officers and the Performance & Improvement team had received training in letter-writing and using plain English. This type of training is

important because writing in plain English is not always easy; this skill usually has to be learnt and used on a regular basis.

5.29 The panel welcomes the fact that some Housing staff have training in letter writing and using plain English. The panel were not clear whether this kind of training was given to all those who need it. If such a programme does not exist then the panel recommend that Housing managers make sure that all relevant officers are able to write clearly using plain English.

Recommendation 1 – The panel believe that all council Housing staff who are involved in writing letters to residents need to communicate in plain English. The panel would like the Housing Service to inform them what steps the service will take to make this happen.

Special Requirements

5.30 Some people have particular problems understanding the written language. This may be for a variety of reasons: English is not their first or main language, there are literacy issues, learning disabilities, physical impairments or mental health problems which make reading difficult.

5.31 Standard letters are intended to produce results. If certain residents won't, or can't, respond to standard letters then it is obviously important that Housing staff recognise this and make alternative arrangements. It is also important that information on these service users is shared across Housing services. It makes little sense for rent collection officers to adopt different tactics when trying to engage with tenants than officers in the council's Neighbourhood or Tenancy teams.

English as a second language

5.32 The panel learnt that Housing teams do commonly record information about residents who require translation services on the relevant databases. The council has translations of key rent arrears and tenancy letters in the five most commonly requested languages, and can arrange for translations into other languages on request.

5.33 It is important that some letters are translated for people who have English as a second language, particularly in cases where it may result in legal action, including in the County Court. In other circumstances, less formal approaches may work better, such as relying on family members to act as translators for tenants who need this assistance. The panel were assured that officers:

'...would always use the translation services when communicating important messages and taking tenancy action.'

The panel trusts that this is indeed the case.

Resident Involvement

5.34 Since tenants and leaseholders pay for Housing Services, it is important for them to be involved in making decisions about those services. It is now widely recognised that the most effective services are those which make the best use of customer feedback.

5.35 It would therefore appear positive to have resident involvement in standard letters. The panel was delighted to learn that there is a Housing Income Management Group, made up of elected tenants, which does review rent arrears standard letters.

Problems with literacy and numeracy

5.36 Brighton & Hove has an unusually large graduate population, but it also has significant numbers of people with literacy and/or numeracy problems. For instance, it was estimated in the Brighton & Hove Adult Learning Strategy that around 12,000 local adults lack basic literacy skills and up to 60,000 lack basic numeracy skills. It is therefore important that Housing staff always remember that some tenants may struggle to understand written communications, especially letters about rent or benefits where a degree of both literacy and numeracy is needed.

5.37 The panel heard that there were some measures in place designed to make standard letters more accessible for people with literacy problems. For example, the Housing Income Manager said that red type was used in sections of rent arrears letters to emphasise that they contained urgent information. The panel would like the Housing Service to explore whether there are other ways to highlight the importance of certain kinds of letters.

5.38 The Income Manager told the panel that the service felt that people with literacy problems usually ask for help in understanding letters from family and friends. It was felt that sending standard letters to people with literacy problems was not pointless. However the panel would like to point out that literacy issues are still to a degree viewed as something to be hidden. Those who lack literacy skills may be less willing to seek help with written communication than residents who do not have English as their first language.

5.39 People with low literacy skills are going to find some types of letters easier to understand than others. The panel hope that Housing staff are aware that some residents may have literacy problems and write their standard letters accordingly. It is hoped that this information can be picked up and recorded when officers meet with new tenants.

5.40 The panel does think that there may be a role here for the Service Improvement Groups which are currently being set up. One of the roles of these groups could be to think about relevant standard letters in terms of their readability for those with literacy problems. It could be useful if, amongst those represented on those groups, are some residents who themselves have

literacy issues. This direct experience could be a very valuable resource for Housing officers drafting standard letters.

5.41 *The panel suggests (if this does not already happen) that the Service Improvement Groups should:*

- ***Take an active role in ensuring that standard letters are as accessible as possible for people with literacy and numeracy issues***
- ***Be willing to challenge officers to ensure that all standard letters use plain English***
- ***Aim to attract a broad range of members, including members with literacy and numeracy issues.***

Monitoring

5.42 The panel were concerned that data on the response rate to the letters was currently '*unavailable*', but were pleased to hear:

'...the response rates as a whole were good.'

5.43 The panel were unable to evidence this claim and feel it would be beneficial to the service as a whole to maintain response records.

5.44 *The panel felt that it could be useful for the Income Management Team to carry out an exercise to:*

- ***Monitor the response rate to each of the rent arrear standard letters***
- ***Compare the effectiveness of sending out standard letters to other forms of communication such as telephoning or visiting residents.***

Sharing good practice and quality control

5.45 One of the main concerns of the panel was whether the Housing Service had systems in place to make sure they were sending out the best possible standard letters to residents.

Recommendation 2: The panel would like the Housing Service to find ways to make sure all their standard letters are of the same quality. The aim would be to make these letters consistent in:

- ***How to address tenants when writing letters***
- ***How to encourage tenants to contact the council or other organisations who can help them resolve the issue***
- ***Using plain English***
- ***Giving examples of useful sentences, including how to sign off letters.***

The panel would like the Housing Service to find ways to obtain residents' views on the key standard letters used by the service. It would be particularly useful if the service could get the views of residents who have difficulties with literacy and numeracy.

Letters after home visits

5.46 While this issue was outside the remit of the panel, a cause for concern was discovered by the panel when collecting their evidence for this review.

5.47 Home visits are carried out by the Income Management team at different stages of the rent arrears process. The Housing Income Manager told the panel that any agreement reached during the home visit would be recorded on the electronic database.

5.48 The Senior Solicitor said that courts wanted to see that the council had given the resident enough opportunities to pay their rent arrears, including home visits. However these home visits were not specifically taken into account by the courts. The rent arrear letters would suggest a home visit as well as list the ways to contact the council, including texting or telephoning, to give the resident further opportunities to pay their rent arrears or get advice.

5.49 The panel found out it was not usual practice to send out a follow up letter after the home visit. They believed it was important to confirm the details of the home visit in writing, clearly stating what was agreed by the resident and the officer. This will ensure that the tenant and officer both agree on the outcome of the visit and avoid misunderstandings. In addition, it will serve as evidence that efforts are being made by the service to engage with residents, whether this was during a visit or a telephone call. The panel felt that this was good practice and the information could be referred to at a later date if necessary, especially if the case did end up in court.

Recommendation 3

The panel recommend that all teams in the Housing Service should send out a letter to the resident(s) after every home visit detailing what was discussed, and agreed, at the visit. The panel also feels that it may be good practice to write to tenants where appointments made have been missed. The letter should also encourage the resident to reply to the service with any concerns. This recommendation should be piloted for six months and then feedback on the results be given to the Tenant & Resident Scrutiny Panel.

6. Conclusion

6.1 The panel welcomed the very good performance of the Housing Service in important areas such as rent arrears. They felt that standard letters are a useful tool in communicating with residents and can save time and the duplication of effort.

6.2 Their recommendations are aimed at ensuring the consistency and quality control of standard letters. The panel felt as issues facing residents become more complex, such as welfare reform, it is vital for the service to communicate clearly and in a customer friendly way.

6.3 The panel also hope that the service look at other ways of communicating with residents; such as email, telephone and social media. This would depend on the preferences of the resident and the kind of information which was being given to them.

7. Recommendations

7.1 While the panel appreciate that the Housing Service is achieving high levels of performance in areas such as rent collection, they felt the following recommendations could help to ensure the quality, effectiveness and consistency of the council's standard letters to residents.

Recommendation 1 – The panel believe that all council Housing staff who are involved in writing letters to residents need to communicate in plain English. The panel would like the Housing Service to inform them what steps the service will take to make this happen.

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8. Monitoring

8.2 The panel feel it is very important to monitor the progress of these recommendations and would like to receive a report on the outcomes which have been achieved, to go to Housing Committee in 12 months time.