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Our Ref
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Date: 20 September 2023

Dear Councillor,

Housing and Community Services Committee

A Meeting of the **Housing and Community Services Committee** will be held at **Council Chamber**, Civic Offices, Civic Way, Swadlincote on **Thursday, 28 September 2023 at 18:00**. You are requested to attend.

Yours faithfully,

Chief Executive

To:- **Labour Group**

Councillor G Rhind (Chair), Councillor M Mulgrew (Vice-Chair) and Councillors A Archer, S Harrison, A Haynes, J Jackson, D Pegg, D Shepherd and A Tilley.

Conservative Group

Councillors D Corbin, M Fitzpatrick and J Lowe.

Liberal Democrats

Councillor J Davies.



AGENDA

Open to Public and Press

- 1** Apologies and to note any substitutes appointed for the Meeting.
- 2** To note any declarations of interest arising from any items on the Agenda
- 3** To receive any questions by members of the public pursuant to Council Procedure Rule No. 10.
- 4** To receive any questions by Members of the Council pursuant to Council Procedure Rule No. 11.
- 5** BUDGET SETTING APPROACH 2024-25 **4 - 9**
- 6** UPDATE TO PARKS AND GREEN SPACES SERVICE STANDARDS POLICY **10 - 25**
- 7** REGULATOR OF SOCIAL HOUSING PROPOSED CONSUMER STANDARDS **26 - 128**
- 8** REVIEW OF TENANCY STRATEGY & TENANCY POLICY **129 - 155**
- 9** COMMITTEE WORK PROGRAMME **156 - 160**

Exclusion of the Public and Press:

- 10** The Chairman may therefore move:-
That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 11** To receive any exempt questions by Members of the Council pursuant to Council Procedure Rule No. 11.
- 12** SHARPE'S POTTERY HERITAGE AND ARTS TRUST

13 LONG TERM LEASE OF SHARDLOW ALLOTMENTS TO SHARDLOW &
GREAT WILNE PARISH COUNCIL

REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 5
DATE OF MEETING:	28 SEPTEMBER 2023	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (CORPORATE RESOURCES)	OPEN
MEMBERS' CONTACT POINT:	CHARLOTTE JACKSON Charlotte.jackson@southderbyshire.gov.uk	DOC: s/finance/committee/2023-24/September
SUBJECT:	BUDGET SETTING APPROACH 2024-25	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: FM08

1.0 Recommendations

1.1 That the Committee notes the budget setting approach within the report and Members provide feedback accordingly to the Strategic Director (Corporate Resources).

2.0 Purpose of the Report

2.1 To consult Members on the approach for setting the 2024/25 budget.

3.0 Detail

INTRODUCTION

3.1 This report seeks feedback from Members on the proposed approach for setting the Council's budget for 2024/25, including any budget proposals Members wish to instruct officers to consider and develop.

BACKGROUND

3.2 The Local Government Act 1992 requires the councils that are billing authorities complete and approve their budgets and set a council tax before 11 March immediately prior to the start of the financial year on 1 April.

3.3 Officers have now started to review the detailed income and expenditure budgets by service for the forthcoming 2024/25 financial year across all its operations – the General Fund and Housing Revenue Account (HRA) revenue accounts and the General Fund and HRA Capital Programmes.

- 3.4 The Strategic Director (Corporate Resources) has set out some early budget setting principles for services to work with (see below).
- 3.5 The purpose of this report is to consult Members on any further features or principles they would like to set as part of determining next year's budget, to ensure that proposals are considered in the context of the overall budget position and affordability. The early discussion also provides an opportunity for Members to instruct officers to consider and develop budget proposals.

KEY PRINCIPLES TO DEVELOPING BUDGET PROPOSALS

- 3.6 The three key principles set out to Managers in preparing their budgets for next year are:

3.6.1 Budgets should support Service Plan and the Council Plan - Overall, services should align with Service Plans and the Council Plan. This is a fundamental principle to ensure that appropriate funding is in place. It will also reduce and remove the need for further reports to committee for additional funding requests, unless there are specific requests from members on this or there are other requirements around procurement or other approval considerations.

3.6.2 Revenue investment should be based on demonstratable need or be self-funding - This means that any cost-pressures (such as inflation pressures on supplies, services, and contracts), additional staff or reductions in income due to lower demand or reduced fees, should, insofar as is possible, be "self-funding". This means services should try as far as is reasonably practical to off-set increases in financial resources by making savings in other areas or alternatively, additional revenue investments should be fully demonstrated.

Overall, proposals will need to demonstrate an evidence-based business case which sets out the service need and how additional revenue funding will seek to meet that need, and where possible, reduce ongoing expenditure or increase income in other areas.

3.6.3 Capital growth will be considered based on need and innovation meaning it is essential for the maintenance of service delivery or will improve service delivery by way of revenue improvement - Ideally, if we are creating or enhancing an asset, it should be because it will improve the council's financial position through reducing spend or generating income, or it must be because we need to do this to maintain services.

Again, this requires services to document and demonstrate a sound business case and evidence service investment need.

THE BUDGET SETTING APPROACH

- 3.7 There are several other features of the budget process that are different this year or that are important for members to have an understanding of and these are set out below.
- 3.8 The first key feature is that the budget will be set using an “incremental budgeting” approach. This is where the current year’s budget is taken forward into the new year, adjusted for changes presented to members and subsequently approved.
- 3.9 As such, all budgetary changes, will be set out in reports. This will be the case for individual changes above a de-minimis level of £5k, but for amounts lower than £5k, all service area changes will be consolidated and reported as “de-minimis changes”, by directorate.
- 3.10 Proposals around additional staffing resource will be set out clearly so that proposed increases to the establishment are well understood.
- 3.11 Similarly, proposals around variations to fees and charges will set out the basis of any changes and the resultant impact to income.
- 3.12 It is envisaged that, since proposals are to be presented in a way that identifies a clear business need, there will be a forthcoming reduction in any need for further reports to committee for additional funding requests. However, it is recognised that there may be specific requests from committees to sign off at future proposal milestones, receive updates on the progress of new initiatives, or other requirements, such as procurement award sign off.
- 3.13 To ensure effective financial scrutiny, early member engagement on the budget is being undertaken, starting with this context setting report. Engagement with each of the committees is proposed to be held with Environmental and Development Services Committee (ED&S) on 21 September 2023, Housing and Community Services Committee (H&CS) on 28 September 2023, Finance and Management Committee (F&MC) on 5 October 2023 and Overview and Scrutiny (O&SC) on 11 October 2023.
- 3.14 A draft budget position will then be prepared and presented to F&MC at its 23 November meeting. The Committee will agree the draft budget for approval to commence the public and statutory consultation.
- 3.15 During January, the draft budget will be presented to policy committees and O&SC. The reports will present the consolidated draft budget and individual proposals to give each policy committee the holistic view of the Council’s finances and affordability considerations, as well as the committee specific detail.
- 3.16 In the past, public consultation has been achieved through Area forums. This year, the process will be expanded to include online consultation, to run for 6 weeks. Feedback from the consultations will be reported to F&MC at its meeting on 15 February, alongside feedback and changes made as a result of policy

committee review. F&MC will review the final proposed budget considering consultation feedback and make its recommendations to Council for final approval.

MEDIUM TERM FINANCIAL PLANNING

- 3.17 The Council’s current Medium Term Financial Plan (MTFP) includes provision for growth and inflationary demands. The assumptions and associated financial risks are considered as a worst-case scenario and there are recurring budget gaps being met by reserves over the life of the plan.
- 3.18 As the budget is developed, the plan will be reviewed and renewed to align with the new proposed budget from 2024. The review will include the assessment of all assumptions that drive the future financial forecasts in the plan as well as the creation of the worst- and best-case scenarios against a “base case” to set out the most likely outcome.
- 3.19 A new Medium Term Financial Strategy will also be developed later into the budget setting timetable and presented alongside the budget for approval in February. This overarching strategy will consider the future funding expectations and opportunities for increasing the Council’s self-sufficiency in the light of diminishing central government grants and an uncertain future funding outlook and a cycle of recurrent 1-year local government funding settlements, whilst ensuring the Council can continue to fund and deliver excellent services.

TIMETABLE

3.20 The proposed timetable is as follows:

Date & Committee	Milestone
21 September – E&DS 28 September – H&CS 5 October – F&MC 11 October – O&SC	Consultation on budget setting principles/values and budget changes/proposals for development
<i>September – November</i>	<i>Budgets scoped and reviewed by officers and Leadership Team</i>
23 November – F&MC	Consideration of consolidated budget and individual proposals Approval to consult
4 January – E&DS 8 January – H&CS 11 January – F&MC 17 January – O&SC	Committee review of consolidated budgets and individual proposals relevant to Committee service budget Draft MTFs presented to O&SC
24 November – end January	Statutory and public consultation with ratepayers (businesses) and residents

15 February – F&MC	Review of final consolidated budget, review of consultation responses Draft MTFS
28 February – Council	Final approval of Budget and Council Plan Final MTFS

SUMMARY

3.21 Feedback is sought on the overall approach and main features of the budget setting timetable, the key principles, the proposed public consultation and any other areas of the budget Member wish to see developed.

4.0 Financial Implications

4.1 None currently.

5.0 Corporate Implications

Employment Implications

5.1 None.

Legal Implications

5.2 None.

Corporate Plan Implications

5.3 None

Risk Impact

5.4 None

6.0 Community Impact

6.1 None currently.

Equality and Diversity Impact

6.2 None.

Social Value Impact

6.3 None.

Environmental Sustainability

6.4 None.

7.0 **Background Papers**

7.1 None

REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	28 SEPTEMBER 2023	CATEGORY: RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	CHRIS WORMAN PARKS AND GREEN SPACES MANAGER chris.worman@southderbyshire.gov.uk	DOC:
SUBJECT:	UPDATE TO PARKS AND GREEN SPACES SERVICE STANDARDS POLICY	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 To agree and approve the update to Parks and Green Spaces Service Standards Policy. Which is the addition of the Biodiversity and Nature Areas & local wildlife sites.

2.0 Purpose of the Report

- 2.1 This report presents the updated section of Parks and Green Spaces Service Standards Policy for approval by Council. The Council requires all Policies to be reviewed on a regular basis.

3.0 Detail

- 3.1 The policy sets out the Council's commitment to its service standards for Parks and Green Spaces.
- 3.2 The policy was approved at Housing & Community Services committee on 1st June 2023.
- 3.3 There have not been any legislative changes since the last review of the Policy, however a section referencing the Biodiversity work was missing from the document. This report and updated policy addresses this with the addition of the following section.

1. Biodiversity and Nature Areas & Local Wildlife sites.

4.0 Financial Implications

- 4.1 There are no financial implications associated with this policy.

6.0 Corporate Implications

Employment Implications

6.1 There are no employment implications from this policy.

Legal Implications

6.2 There are no legal implications from this policy.

Corporate Plan Implications

This policy contributes to all the priority areas in the Council's Corporate Plan, contributing to Our Environment, Our People and Our Future through protecting and supporting investment, independent living, leisure, and cultural activity and focus on the community as residents and customers..

7.0 Community Impact

Consultation

7.1 Only internal consultation is required for this policy.

Equality and Diversity Impact

7.2 There were no negative impacts on any of the characteristics from this policy.

Social Value Impact

7.4 The provision of quality Parks and Green spaces that can be used by all members of our communities are a key element of supporting healthy, sustainable and livable communities.

Environmental Sustainability

7.5 Green Spaces can provide positive environmental benefits that can offset other council carbon use. The addition of the Biodiversity section, which references the Action Plan for Nature and Work Programme promotes Environmental Sustainability at its core. Investing in nature is critical to sustaining a healthy environment for generations to come.

8.0 Conclusions

8.1 This policy sets out the Council's Parks and Green Spaces Service Standards, improving the quality of life for local people and increasing access to nature within our communities. This policy details our commitment, along with the standards of service that the public can expect.

9.0 **Background Papers**

9.1 updated Park and Green Spaces Service Standards

Parks and Green Spaces Service Standard Policy

Service Area: Service Delivery

Head of Service: Sean McBurney



Version Control

Version	Reason for review (Review date/legislation/process changes)	Author (A) / Reviewer (R)	Effective date
1	Review following restructure	Chris Worman	01.01.23

Approvals

Approved by (Committee/Leadership Team/Head of Service)	Date
Housing and Community Services	

1.0 Content

Contents

Version Control 2

Approvals 2

1.0 Content 2

2.0 Introduction 3

3.0 Purpose 3

4.0 Objectives 3

5.0 Performance and Monitoring 9

6.0 Definitions 9

7.0 Roles and Responsibilities 10

8.0 Sustainability Impact Assessment 10

9.0 Policy Review 12

10.0 References 12

11.0 Associated Documentation 12

12.0 Appendices 12

12.1 Equality Impact Assessment Form 12

12.2 Policy Briefing Form 12

..... 13



2.0 Introduction

The Council is responsible for the management of green spaces including planning advice, adoption of new land, dealing with Section 106 agreements and commuted sums. In relation to the maintenance of open spaces, our services comprise:

- Parks and green spaces including sports grounds
- Biodiversity / Nature areas and local wildlife sites
- Tree and woodland management
- Cemeteries
- Play areas and facilities for young people
- Environmental Education Project
- Rosliston Forestry Centre

Following the restructure of the Cultural and Community Services in 2022 this policy identifies the service standards for new Parks and Green Spaces Team.

3.0 Purpose

To identify the services within the Parks and Green Spaces Team and identify the standards of services that are to be provided.

4.0 Objectives

To provide a clear understanding of the following areas of work;

Parks and Green Spaces including sports grounds.

We manage three large urban parks covering an area of approximately 15 hectares, together with the 30-hectare urban forest park of Swadlincote Woodlands. In addition, we manage over 60 hectares of public open space which includes local nature reserves, wildlife areas, football pitches, eight allotment sites and large areas of common land.

Green Flag Award Status is achieved for Eureka Park, Maurice Lea Memorial Park and Swadlincote Woodlands. Our aim is to add to this with a further 3 green flags over the coming years for Cadley Park, Church Gresley Cemetery and Rosliston Forestry Centre.

During 2022/23 the new Cadley Park has been developed creating an additional 6 hectares of green space within the urban core.



At our premier Green Flag Award winning green spaces the grounds maintenance service we will ensure that;

Green Flag parks at Maurice Lea Memorial Park, Eureka Park and Swadlincote Woodlands have a park keeper presence.

Bowling greens are cut on 76 occasions during the mowing season (March – October)

Amenity grass is mown on 26 occasions during the mowing season (March – October)

Ornamental hedges are cut twice per annum, outside the March to September period if there are nesting birds

Shrub borders are pruned carefully according to the requirements of each species/ cultivar

Seasonal floral features, beds and borders etc. are maintained for optimum display (Spring Bedding planted in October and Summer bedding planted in June)

No chemicals are used for the treatment of weeds with the exception of hard surfaces and designated potential problem areas. These will be treated twice per year with suitable weed control treatment

Litter is collected daily and bins are checked daily and emptied as required

Hard surface areas are swept weekly

Leaves are cleared as part of appropriate routine operational tasks

Full support is given for the Festival of Leisure, Remembrance Sunday and other major events

A wide range of events and activities are delivered which engage local communities

All other sites

Amenity grass is mown on 16 occasions during the mowing season (approx. fortnightly from March – October)

Hedges are cut, as a minimum, annually outside the March to September bird- nesting season

Shrub beds are pruned as required, at least annually

Seasonal floral features, beds and borders etc. are maintained for optimum display through the year (Spring Bedding planted in October and Summer bedding planted in June)



Litter is collected as a minimum twice per week in winter and three times in summer and bins are emptied at the same time and frequency

Hard surface areas are swept weekly

Leaves are cleared as part of appropriate routine operational tasks

Sports pitches are repaired, maintained and marked out as required for each sport

A fair allotments lettings and management service is provided and waste disposal facilities are provided on each site

Biodiversity / Nature areas and local wildlife sites

We manage and deliver the District Council's action plan for nature along with managing and maintaining 27 core sites for nature. Natural open space woodlands and wildlife sites are managed to enhance biodiversity and provide recreational and educational opportunities for all. In addition we seek to ensure biodiversity enhancements are incorporated into all sites.

In 2022 Swadlincote Woods was declared a Local Nature Reserve and we hope to designate more site over the coming years.

The Biodiversity Officer manages the Biodiversity Net Gain (BNG) process along with the cross cutting Biodiversity working group.

Ensure BNG opportunities are maximised and implemented in line with the new legislation.

The Biodiversity Officer is also responsible for the delivery and development of the 'Action Plan for Nature Work Program' (APN).

The APN was produced with Derbyshire Wildlife Trust and defines a baseline for biodiversity within South Derbyshire and the opportunities that are available to the Council to deliver strategic nature recovery.

Example of Biodiversty work from the APN – Before and after at Church Gresley Cemetery



Tree and woodland management

In common with all other local authorities South Derbyshire District Council owns, and therefore is required to properly manage, a large number of trees and woodlands of various types and sizes. These trees are valued for their multi-functional contribution to the quality of life of the district, including place-making, public health, biodiversity, aesthetic value etc. and the Council has put in place policies, systems and resources to protect and manage them effectively.

The Council manages around twenty-five thousand individual trees and over 50 hectares of woodland throughout the district, with a total of over 170,000 trees and more being adopted each year.

We will ensure that:

There is programme to map and add all our trees to the Council's tree stock inventory

Trees are regularly inspected according to the 2022 Tree Management and Maintenance Policy

All necessary work to make safe all trees is identified on a programme of work according to the 2022 Tree Management and Maintenance Policy on the following basis-

The Council will use its Risk Management and the Tolerability of Risk Framework for tree risk-benefit assessment and management. It will manage the risk from trees and branches falling and other tree problems using four easy to understand 'traffic light signal' coloured risk ratings.

Red - High / intolerable risks will be reduced to an Acceptable level as soon as possible

Amber - Medium / action required risks will be reduced to an Acceptable level, within a scheduled work programme

Yellow - Tolerable / incipient risks will not be reduced but will require an increased frequency of assessment than green - Acceptable risks

Green - Acceptable risks will not be reduced unless the identified work is in line with policy conditions and is within council budgets and resources

The tree work programme is completed to the required standard within the set timescales



Cemeteries and closed churchyards

We provide cemeteries at Aston-on-Trent, Church Gresley, Etwall, Findern, Marston-on-Dove and Newhall. Most of our cemeteries have consecrated (blessed as sacred) and unconsecrated areas where graves can be bought. SDDC will maintain the site without charge to the grave owner.

We also facilitate the grounds maintenance of a number of closed churchyards. We will ensure that-

The register and records for all cemeteries are properly maintained and updated

Dignified and respectful bereavement services are delivered, including grave digging, health and safety supervision and providing public witness duties

Amenity grass is mown on 16 occasions during the mowing season (approx. fortnightly from March – October)

Hedges are cut, as a minimum, annually outside the March to September bird-nesting season

Shrub beds are pruned as required, at least annually

Seasonal floral features, beds and borders etc. are maintained for optimum display through the year. (Spring Bedding planted in October and Summer bedding planted in June)

Memorials are inspected for safety on a five-year rolling programme in accordance with our Memorial Headstone testing policy.

At Church Gresley and Newall Cemeteries:

Litter is collected as a minimum twice per week in winter and three times in summer and bins are emptied at the same time and frequency

Hard surface areas are swept weekly

Leaves are cleared as part of appropriate routine operational tasks

Other cemeteries have their own maintenance arrangements

Play areas and facilities for young people

We have more than 30 play areas, catering for a wide range of age groups. Our playgrounds strike a balance between providing a stimulating learning environment and



meeting safety requirements. We also manage and maintain three skate parks, in Peacraft Lane, Hilton, at Newhall Park and on Common Road, Swadlincote. We also have outdoor green gym equipment at Maurice Lea Memorial Park, Eureka Park and Newhall Park.

We will ensure that-

All new facilities are designed for optimum play value and are installed correctly to conform with EN 1176

All play inspections will conform to industry best practice and staff will be trained to RPI standard.

Play equipment, skate parks, youth facilities, artificial sports areas are regularly inspected, repaired, maintained and kept clean and fit for purpose

Full records are kept of inspection and maintenance programmes via a computerised inspection app.

Environmental Education Project

Our Environmental Education Project team develops and runs school and public events and activities across the District and The National Forest.

Based at Rosliston Forestry Centre, it holds the Learning Outside the Classroom Quality Badge and works with partners such as the National Forest Company, Rolls-Royce PLC, Forestry England, The Woodland Trust and Sainsbury's to provide interesting and engaging opportunities locally and nationally.

The aim is to enable people to learn about the environment whilst having fun. We also promote the built environment and the District's unique cultural and industrial heritage.

We work with individuals, schools, families, local environmental groups and businesses on a varied programme of activities including paid-for sessions and volunteering activities.

Events and activities include free tree giveaways, gardening drop-ins, science discovery days and family fun 'Wildlife Watch' sessions like pond-dipping. We also run Rosliston Rangers volunteer group, South Derbyshire Environmental Forum network group, and organised corporate environmental team building days. We also have free self-guided trails for Rosliston and Swadlincote focussing on general heritage and points of interest eg Tree Trail, Japanese Trail, Swadlincote Heritage Trails, and five WW1 Commemorative local walks.

For schools, we deliver sessions linked to the curriculum subjects, including science, geography, history, music, literacy, technology, maths, art and design.



Our sessions are designed to appeal to all pupils, whatever their ability or preferred learning style. They include titles like 'Working the Woods - past, present and future' (where you develop your own trail routes), as well as more traditional environmental education.

More hands-on experiences include bushcraft, fire-lighting/campfire cooking and 'Forest School' taster days.

Rosliston Forestry Centre

Rosliston Forestry Centre is a 154 acre site and located at the heart of The National Forest and is a mix of woodland and meadow, ponds and play areas for visitors of all ages to enjoy. The centre provides visitor information, toilets, shop, education centre, café, soft play, falconry centre and wheelchair hire.

In addition, we provide 6 fully equipped self-catering lodges, and The Glade which is licensed for weddings and music events.

A range of activities can be enjoyed including walking, fishing, nature trails, volunteering, star gazing, orienteering, and a range of family events.

5.0 Performance and Monitoring

Throughout our work, we set clear targets and measure our achievement through a suite of key performance indicators as part of an integrated performance management framework.

We do this through:

- Quality monitoring of service delivery and 'mystery shopping' of key sites
- External quality assessment via the Green Flag Award
- The development of site management plans and improvement action plans
- The effective management of open spaces including infrastructure, trees, grounds maintenance and community involvement
- Regular review meetings with our partner organisations.
- Evaluation of education events and activities.

6.0 Definitions

- Green Flag Award – the international standard for parks and green spaces



- EN 1176 – The British and European safety standard for play equipment and safety surfaces.
- RPI – Register of Play Inspectors

7.0 Roles and Responsibilities

- **Responsible:** Service area who performs an activity or does the work.
- **Accountable:** Service area which is ultimately accountable for the service being provided
- **Consulted:** Services who need to be engaged and contribute to the policy
- **Informed:** Services or stakeholders that needs to be informed of the policy

Responsible	Accountable
<ul style="list-style-type: none"> • Parks and Green Spaces Manager / Parks and Green Spaces Service <ul style="list-style-type: none"> ○ To review the policy ○ Ensure the policy is implemented and maintained. 	<ul style="list-style-type: none"> • Head of Cultural and Community Services / Service Delivery <ul style="list-style-type: none"> ○ The Parks and Green Spaces Team sit with the Cultural and Community Services department.
Consulted	Informed
<ul style="list-style-type: none"> • Head of Operational Services / Service Delivery <ul style="list-style-type: none"> ○ The Grounds Maintenance is delivered in house by our operational services department. 	<ul style="list-style-type: none"> • All staff <ul style="list-style-type: none"> ○ To understand and comply to policy

8.0 Sustainability Impact Assessment

Our Environment	Potentially positive impact (Y/N)	Potentially negative impact (Y/N)	No disproportionate impact (Y/N)	Sustainable Assessments findings <i>(Please utilise the guidance provided for assessment findings.)</i>
Improve the Environment of the District	Y			The provision of parks and green spaces to support communities to live health sustainable lifestyles. Increase biodiversity/ ecology / Supports the Climate Emergency declaration



Tackle Climate Change	Y			<i>The provision of parks and green spaces has a positive impact on tackling climate change through carbon sustration, mitregation flood risk, reduces the heat island effect, reduces air polution and therefore supports decarbonising the council by 2030 Engagement programmes such as volunteering and community tree planting help educate our communities on the impacts of climate change.</i>
Enhance the attractiveness of South Derbyshire	Y			<i>Supoprts with creating green tourism Improve public spaces to enjoy the environment</i>
Our People				
Engage with Communities	Y			<i>Provides volunteering opportunities across a range of parks and green spaces ?</i> <i>Undertaking communitiy consylations for park developments.</i> <i>Helps tackle anti-social behaviour and crime – by providing diversonary facilities for young people.</i>
Supporting and Safeguarding the most vulnerable	Y			<i>Provision of free to access green spaces to promote wellbeing and supports all members of our communities to live healthy sustainable lifestyles.</i>
Deliver Excellent Services	Y			<i>Improve customer service and information. Invest, in our workforce.</i>
Our Future				



Develop Skills and careers	Y			<i>Help attract and retain skilled jobs. Supports local workers. Supports apprenticeships. Supports green skills.</i>
Support economic growth and infrastructure	Y			<i>The provision of a quality environment helps to attract both new visitors and businesses to the area to support economic growth</i>
Transforming the Council	Y			<i>Supports the councils aims and objectives / best practice and ISO 14001</i>

9.0 Policy Review

The Standards are to be reviewed in 3 years.

10.0 References

Include external references for example legislation to ensure a clear evidence base.

11.0 Associated Documentation

Description of Documentation
2022 Tree Management and Maintenance Policy

12.0 Appendices

12.1 Equality Impact Assessment Form

The outcome of the assessment should be included in the supporting Committee Report which is seeking approval for a new or amended policy.

12.2 Policy Briefing Form

See appendix below



Appendix.12.2

Policy Briefing Form

Introduction

This form is to provide a brief update to summarise the changes/amendments to an existing policy or to provide a summary for a new policy. This form should be used for the consultation, approval and communication of all adopted policies.

Policy update

A summary of the policy is detailed below

Policy Name: Parks and Green Spaces

Policy Date: May 2023

Version Number: 1.0

Summary of Policy: *(this can be copied from section 3. Purpose)*

To identify the services within the Parks and Green Spaces Team and identify the standards of services that are to be provided

Summary of key changes made to an existing policy.

Section	Amendment
<i>Overall</i>	Renamed Park and Green Spaces policy following the 2021 restructure
4.0	Addition of Rosliston Forestry Centre and the Environmental Education Team
4.0	Addition of the new tree management policy
4.0	Addition of Biodiversity / Nature areas and local wildlife sites

Following final adoption of the policy, this form will be used by the communication team to be included in Core Brief as part of the communication plan.

Further information can be found in the 'My Policies' section in Connect.



REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	28 SEPTEMBER 2023	CATEGORY:
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	PAUL WHITTINGHAM (HEAD OF HOUSING) Paul.whittingham@southderbyshire.gov.uk	DOC:
SUBJECT:	REGULATOR OF SOCIAL HOUSING PROPOSED CONSUMER STANDARDS	
WARD(S) AFFECTED:	ALL	TERMS OF HCS01 REFERENCE:

1.0 Recommendations

- 1.1 That the draft response to the proposed Housing Consumer Standards is approved and submitted to the Regulator of Social Housing
- 1.2 That the Head of Housing commissions a self-assessment of the Councils services against these proposed standards to be completed by the end of November 2023 and informs the Committee of the outcome of this assessment and that funding of up to £35000 is provided to cover additional staffing costs for this work.

2.0 Purpose of the Report

- 2.1 This report outlines the proposed new consumer standards for Housing Providers which are to be introduced by the regulator of Social Housing.
- 2.2 The report also includes the Councils proposed response to the consultation and the associated Code of Practice, Equality Impact Assessment and Regulatory Impact Assessment.

3.0 Executive Summary

- 3.1 The Social Housing (Regulation) Act 2023 (the 2023 Act) received Royal Assent, becoming law on 20 July 2023. This gave the Regulator for Social Housing an enhanced role in regulating the provision of housing by Local Authorities and Housing Associations.
- 3.2 A fundamental part of this new consumer regulatory framework will be the introduction of a revised set of consumer standards that will set the requirements that

registered providers must meet. The Regulator will seek assurance against these standards in order to deliver lasting improvements to the quality of housing and services for social housing tenants. In order to do this the Regulator states that “These requirements must therefore make a meaningful difference to tenants be deliverable by landlords and we must be able to regulate against them for the new consumer regulation framework to be a success and strengthen the accountability of landlords to tenants in rebalancing that relationship.

3.3 The new standards are designed to meet the expectations that were set out in the government’s Social Housing White Paper: ‘The Charter for Social Housing Residents’ (the White Paper), which was reported to the Housing and Community Services Committee on 28th January 2021 and updated on 2nd February 2023.

3.4 The Proposed standards are:

- a. The Safety and Quality Standard – requires landlords to provide safe and good quality homes and landlord services to tenants.
- b. The Transparency, Influence and Accountability Standard – requires landlords to be open with tenants and treat them with fairness and respect so that tenants can access services, raise complaints when necessary, influence decision making and hold their landlord to account.
- c. The Neighbourhood and Community Standard – requires landlords to engage with other relevant parties so that tenants can live in safe and well-maintained neighbourhoods and feel safe in their homes.
- d. The Tenancy Standard – sets requirements for the fair allocation and letting of homes and for how those tenancies are managed and ended by landlords.

3.5 The consultation aims to understand whether the proposed consumer standards:

- cover the right areas;
- set the right expectations of landlords.
- are easy to understand for both landlords and tenants.

3.6 It is proposed that the Council responds positively to these questions and wholeheartedly supports the Regulator in the delivery of improved services for Council tenants.

4.0 Detail

4.1 There are four standards, each has its own set of outcomes and specific expectations. The detailed expectations are attached at Appendix A. The expected outcomes are;

4.2 The Safety and Stock quality standard

- Registered providers must have an accurate, up-to-date and evidenced understanding of the condition of their homes that reliably informs their provision of good quality, well maintained and safe homes for tenants
- Registered providers must ensure that tenants’ homes meet the standard set out in section five of the Government’s Decent Homes

Guidance and continue to maintain their homes to at least this standard unless exempted by the regulator

- When acting as landlords, registered providers must take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.
- Registered providers must provide an effective, efficient and timely repairs, maintenance and planned improvements service for the homes and communal areas for which they are responsible.
- Registered providers must assist tenants seeking housing adaptations to access appropriate services.

4.3 Transparency, Influence and Accountability Standard

- Registered providers must treat all tenants with fairness and respect.
- Registered providers must take action to deliver fair access to, and equitable outcomes of, housing and landlord services for all tenants.
- Registered providers must take tenants' views into account in their decision-making about how landlord services are delivered.~
- Registered providers must communicate with tenants and provide information so tenants can use landlord services, understand what to expect from their landlord, and hold their landlord to account.
- Registered providers must collect and provide information to support effective scrutiny by tenants of their landlord's performance in delivering landlord services.
- Registered providers must ensure complaints are addressed fairly, effectively, and promptly.

4.4 Neighbourhood and Community Standard

- Registered providers must work co-operatively with tenants], other landlords and relevant organisations to contribute to the upkeep and safety of shared spaces associated with their homes.
- Registered providers must co-operate with relevant partners to promote social, environmental and economic wellbeing in the areas where they provide social housing.
- Registered providers must work in partnership with appropriate local authority departments, the police and other relevant organisations to deter and tackle anti-social behaviour (ASB) in the neighbourhoods where they provide social housing.
- Registered providers must work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.

4.5 Tenancy Standard

- Registered providers must allocate and let their homes in a fair and transparent way that takes the needs of tenants⁷ and prospective tenants into account.
- Registered providers must support tenants to maintain their tenancy or licence. Where a registered provider ends a tenancy or licence, they must offer affected tenants advice and assistance.
- Registered providers shall offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock.
- They shall meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements or terms of occupation.
- Registered providers must support relevant tenants living in eligible housing to mutually exchange their homes.

4.6 The Questions asked by the Regulator are as follows.

1. Overall, do you agree that the proposed Safety and Quality Standard sets the right expectations of landlords, as set out in Chapter 6 of the consultation document?
2. Overall, do you agree that the proposed Transparency, Influence and Accountability Standard sets the right expectations of landlords, as set out in Chapter 7 of the consultation document?
3. Do you agree that the proposed Transparency, Influence and Accountability Standard accurately reflects the government's 'tenant involvement' direction to the regulator? Please state if you agree or disagree.
4. Overall, do you agree that the proposed Neighbourhood and Community Standard sets the right expectations of landlords, as set out in Chapter 8 of the consultation document? Please state if you agree or disagree.
5. Overall, do you agree that the proposed Tenancy Standard sets the right expectations of landlords, as set out in Chapter 9 of the consultation document?
6. Do you agree that the proposed Tenancy Standard accurately reflects the government's 'mutual exchange direction'?
7. The proposed Code of Practice is designed to help landlords understand how they can meet the requirements of the standards. Do you agree that the proposed Code of Practice meets this aim?
8. A draft Regulatory impact assessment has been produced to help in understanding the costs, benefits and risks of introducing a revised set of consumer standards and code of practice. Do you agree with our conclusions in the draft Regulatory impact assessment?
9. The draft Equality impact assessment looks at what effects introducing the consumer standards might have on members of groups that are protected by equality laws. Do you agree with our conclusions in the draft Equality impact assessment?

- 5.1 The regulator has completed its own Regulatory Impact Assessment of the new frame work and likely costs for providers. As a landlord with over one thousand d homes the Council is considered to be a Large Provider. The Regulator estimates that “for large providers transitional costs will be on average £1,600, or 0.002% of turnover in a single year. Overall, we judge that these costs are manageable and proportionate given the need to ensure that all tenants and providers in the sector are able to achieve the benefits of the consumer standards listed”
- 5.2 Given the above and the assumption that providers are currently meeting their requirements, the expectation is that.” registered providers of social housing would bear the full resource implications of the regulatory changes and that the number of registered providers in the future broadly remain at current levels.”
- 5.3 The Regulator has also proposed that all providers will pay a registration fee of £3000 and an annual fee of £21000 -£24000 and is seeking providers views on this separately.
- 5.4 Until such time as the Council has completed its own assessment against the proposed standards it is difficult to estimate any additional cost to the Council in complying with the standards. It is likely that completing this assessment and further work to prepare for the new regulations, with either temporary agency staff or external consultancy will cost around £35000.

6.0 Corporate Implications

Employment Implications

- 6.1 There are no direct employment implications contained within this report

Legal Implications

- 6.2 The Regulator will continue to carry out a four yearly “risk based” approach to inspections. As part of this they will use new tools and methods to gather additional intelligence, listening to the views of tenants to help shape their engagement with providers.
- 6.3 This will continue to be a co-regulatory approach, with councilors being responsible for meeting the regulatory standards, demonstrating to themselves, their tenants as well as us as the regulator that standards are being met. Landlords are also expected to support tenants to understand how they are performing and enable tenants to hold them to account. This approach is being tested with providers before being implemented in full.
- 6.4 The Regulator does now have a range of legal powers that can be used where a landlord has breached the standards. These powers must be used in line with the Regulators legal duty to deliver their role in a way that minimises interference in how landlords, accountable to councillors choose to deliver their services. This means that as far as is possible, consistent, transparent, accountable and proportionate decisions are made when assessing whether regulatory action may be needed, taking into account the impact of the issue and if it reflects the landlord’s overall approach. Where landlords are not meeting the standards, they will be expected to address the non-compliance promptly. The Regulator will consider how we use its powers on a case by case basis and apply the interventions most

likely to bring a provider into compliance which minimise interference and are proportionate to the circumstances.

- 6.5 The 2023 Act has given the regulator additional powers to fulfil the new role. The regulator is proposing to consult on updates to its 'Guidance on the regulator's approach to intervention, enforcement and use of powers' document to reflect the new or revised powers introduced by the 2023 Act during the Autumn 2023.
- 6.6 The draft timetable for introducing the revised consumer standards is summarised below.

17 October 2023

Consumer standards consultation closes. Responses submitted after that date may not be considered.

Autumn 2023

The regulator analyses and considers consultation responses. Any drafting changes to the consumer standards documents will be made at this stage.

Early 2024

The regulator publishes a decision statement which will summarise the key areas of feedback from the consultation and set out our decision on the final form of the consumer standards, together with a final version of the regulatory documents.

April 2024

The revised consumer standards will come into force alongside our new consumer regulatory regime. It is intended that the revised consumer standards will apply to all registered providers, with effect from 1 April 2024.

Corporate Plan Implications

- 6.7 This report has a number of direct impacts on the Councils Corporate Plan
- a. Help tackle anti-social behaviour & crime through strong and proportionate action.
 - b. Supporting and safeguarding the most vulnerable
 - c. With partners encourage independent living and keep residents healthy and happy in their homes.
 - d. Improve the condition of housing stock and public buildings.
 - e. Deliver excellent services
 - f. Ensure consistency in the way the Council deals with its service users.
 - g. Have in place methods of communication that enable customers to provide and receive information.

Risk Impact

- 6.8 This report directly impacts the risk SD3 in the Service delivery Risk Register
- a. Safety standards Failure to comply with basic safety standards in flats/blocks with communal areas.

7.0 Community Impact

- 7.1 The consultation process includes the opportunity for Council tenants to respond directly to the regulator to the questions asked. The Council have published this on the website and social media pages. The Tenants Voice group have also been asked for their comments.

Equality and Diversity Impact

- 7.2 The Housing Regulator has completed its own Equality Impact Assessment as part of the consultation process. That assessment concluded that “We have rigorously considered equality considerations and relevant evidence throughout the development of the proposed consumer standards. Where we have identified aspects of the current standards that might benefit from being strengthened or amended to address any potential negative equality impact, or where we have identified an opportunity to create a positive equality impact through our proposed standards, we have taken the opportunity to do so. Because of this approach, we have not identified any potential negative equality impact at this point.”

Social Value Impact

- 7.3 The provision of accessible, safe housing offers a social value benefit to the community

Environmental Sustainability

- 7.4 There are no direct environmental sustainability impacts within this report.

8.0 Conclusions

- 8.1 The Council agrees and supports the approach taken by the Regulator.
- 8.2 An assessment of the current service against the proposed standards is imperative.

9.0 Background Papers

- 9.1 Report to Housing and Community Services Committee on 28th January 2021 – Housing White Paper
- 9.2 Report to Housing and Community Services Committee on 2nd February 2023 – Tenant Satisfaction Measures and the proposed regulatory Framework

Notes:

- * Category – Please see the Committee Terms Of Reference in [Responsibility for Functions - Committees](#). This shows which committee is responsible for each function and whether it has delegated authority to make a decision, or needs to refer it elsewhere with a recommendation.

- ** Open/Exempt - All reports should be considered in the open section of the meeting, unless it is likely that exempt information would be disclosed. Please see the [Access to Information Procedure Rules](#) for more guidance.
- *** Committee Terms Of Reference in [Responsibility for Functions - Committees](#).



Regulator of
Social Housing

Annex 1

Proposed consumer standards

Safety and Quality Standard

Consumer standards

2023



1. Required outcomes

1.1 Stock quality

- 1.1.1 Registered providers must have an accurate, up to date and evidenced understanding of the condition of their homes that reliably informs their provision of good quality, well maintained and safe homes for tenants¹.

1.2 Decency

- 1.2.1 Registered providers must ensure that tenants' homes meet the standard set out in section five of the Government's Decent Homes Guidance and continue to maintain their homes to at least this standard unless exempted by the regulator.²

1.3 Health and safety

- 1.3.1 When acting as landlords, registered providers must take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.

1.4 Repairs, maintenance and planned improvements

- 1.4.1 Registered providers must provide an effective, efficient and timely repairs, maintenance and planned improvements service for the homes and communal areas for which they are responsible.

1.5 Adaptations

- 1.5.1 Registered providers must assist tenants seeking housing adaptations to access appropriate services.

¹ Throughout the consumer standards 'tenants' means tenants and other occupiers of social housing which includes licensees and shared owners (unless explicitly stated).

² Section 197 of the Housing and Regeneration Act 2008 Act gives the Secretary of State the power to direct the Regulator of Social Housing in relation to certain matters. Requirements set out in blue text reflect matters on which government has issued a direction to the regulator.

2. Specific expectations

2.1 Stock quality

- 2.1.1 Registered providers must have an accurate record at an individual property level of the condition of their stock, based on a physical assessment of all homes and keep this up to date.
- 2.1.2 Registered providers must use data from across their records on stock condition to inform their provision of good quality, well maintained and safe homes for tenants including:
 - a) Compliance with health and safety legal requirements
 - b) Compliance with the Decent Homes Standard
 - c) Delivery of repairs, maintenance and planned improvements to stock
 - d) Allocating homes with adaptations appropriately.

2.2 Health and safety

- 2.2.1 Registered providers must identify and meet all legal requirements that relate to the health and safety of tenants in their homes and communal areas.
- 2.2.2 Registered providers must ensure that all required actions arising from legally required health and safety assessments are carried out within appropriate timescales.
- 2.2.3 Registered providers must ensure that the safety of tenants is considered in the design and delivery of landlord services and take reasonable steps to mitigate any identified risks to tenants.

2.3 Repairs, maintenance and planned improvements

- 2.3.1 Registered providers must enable repairs and maintenance issues to be reported easily.
- 2.3.2 Registered providers must set timescales for the completion of repairs, maintenance and planned improvements, clearly communicate them to tenants and take appropriate steps to deliver to them.
- 2.3.3 Registered providers must keep tenants informed about repairs, maintenance and planned improvements to their homes with clear and timely communication.
- 2.3.4 Registered providers must understand and fulfil their maintenance responsibilities in respect of communal areas.

2.3.5 Registered providers must ensure that the delivery of repairs, maintenance and planned improvements to homes and communal areas is informed by the needs of tenants and provides value for money, in addition to the requirement at 2.1.2.

2.4 Adaptations

2.4.1 Registered providers must clearly communicate to tenants and relevant organisations how they will assist tenants seeking housing adaptations services.

2.4.2 Registered providers must co-operate with tenants, appropriate local authority departments and other relevant organisations so that a housing adaptations service is provided to tenants.

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Regulator of
Social Housing

Transparency, Influence and Accountability Standard

Consumer standards

2023



1. Required outcomes

1.1 Fairness and respect

1.1.1 Registered providers must treat all tenants³ with fairness and respect.

1.2 Diverse needs

1.2.1 Registered providers must take action to deliver fair access to, and equitable outcomes of, housing and landlord services for all tenants.

1.3 Engagement with tenants

1.3.1 Registered providers must take tenants' views into account in their decision-making about how landlord services are delivered.

1.4 Information about landlord services

1.4.1 Registered providers must communicate with tenants and provide information so tenants can use landlord services, understand what to expect from their landlord, and hold their landlord to account.

1.5 Performance information

1.5.1 Registered providers must collect and provide information to support effective scrutiny by tenants of their landlord's performance in delivering landlord services.

1.6 Complaints

1.6.1 Registered providers must ensure complaints are addressed fairly, effectively, and promptly.

³ Throughout the consumer standards 'tenants' means tenants and other occupiers of social housing which includes licensees and shared owners (unless explicitly stated).

2. Specific expectations

2.1 Diverse needs

2.1.1 Registered providers must use relevant information and data to:

- a) understand the diverse needs of tenants, including those arising from protected characteristics, language barriers, and additional support needs; and
- b) assess whether all tenants have fair access to, and equitable outcomes of, housing and landlord services.

2.1.2 Registered providers must ensure that communication with and information for tenants is clear, accessible, relevant, timely and appropriate to the diverse needs of tenants.

2.1.3 Registered providers must ensure that landlord services are accessible, and that the accessibility is publicised to tenants. This includes supporting tenants and prospective tenants to use online landlord services if required.

2.1.4 Registered providers must allow tenants and prospective tenants to be supported by a representative or advocate in interactions about landlord services.

2.2 Engagement with tenants

2.2.1 Registered providers must [give tenants a wide range of meaningful opportunities to influence and scrutinise their landlord's strategies, policies and services. This includes in relation to the neighbourhood where applicable.](#)

2.2.2 Registered providers must [assist tenants who wish to implement tenant-led activities to influence and scrutinise their landlord's strategies, policies and services. This includes in relation to the neighbourhood where applicable.](#)

2.2.3 Registered providers must [provide accessible support that meets the diverse needs of tenants so they can engage with the opportunities in 2.2.1 and 2.2.2.](#)

2.2.4 Registered providers must [support tenants to exercise their Right to Manage, Right to Transfer or otherwise exercise housing management functions, where appropriate.](#)

2.2.5 Registered providers, working with tenants, must regularly consider ways to improve and tailor their approach to delivering landlord services including tenant engagement. They must implement changes as appropriate to ensure services deliver the intended aims.

2.2.6 Where a registered provider is considering a change in landlord for one or more tenants, or a significant change in management arrangements, it must consult affected tenants on its proposals at a formative stage and take those views into account in reaching a decision. The consultation must:

- a) be fair and accessible
- b) provide tenants with adequate time, information and opportunities to consider and respond
- c) set out actual or potential advantages and disadvantages (including costs) to tenants in the immediate and longer term
- d) demonstrate to affected tenants how the consultation responses have been taken into account in reaching a decision.

2.3 Information about landlord services

2.3.1. Registered providers must provide tenants with information about the:

- a) available landlord services, how to access those services, and the standards of service tenants can expect
- b) standards of safety and quality tenants can expect homes and communal areas to meet
- c) rents and service charges that are payable by tenants
- d) responsibilities of the registered provider and the tenant for maintaining homes, communal areas, shared spaces⁴ and neighbourhoods.

2.3.2 Registered providers must communicate with affected tenants on progress, next steps and outcomes when delivering landlord services.

2.3.3 Registered providers' housing and neighbourhood policies must be fair, reasonable, accessible and transparent. Where relevant, policies should set out decision-making criteria and appeals processes.

2.3.4 Registered providers must make information available to tenants about the relevant roles and responsibilities of senior level employees or officers, including who has responsibility for compliance with the consumer standards.

⁴ 'Shared spaces' are those spaces used by tenants that are not the responsibility of the landlord, as opposed to communal areas where landlords have direct responsibilities for ensuring their safety and maintenance.

2.4 Performance information

- 2.4.1 Registered providers must meet the regulator's requirements in relation to the tenant satisfaction measures set by the regulator as set out in Tenant Satisfaction Measures: Technical requirements and Tenant Satisfaction Measures: Tenant survey requirements.
- 2.4.2 Registered providers must:
- a) collect and process information specified by the regulator relating to their performance against the tenant satisfaction measures. The information must be collected within a timeframe set by the regulator and must meet the regulator's requirements in Tenant Satisfaction Measures: Technical requirements and Tenant Satisfaction Measures: Tenant survey requirements
 - b) annually publish their performance against the tenant satisfaction measures. This should include information about how they have met the regulator's requirements set out in Tenant Satisfaction Measures: Technical requirements and Tenant Satisfaction Measures: Tenant survey requirements. This information must be published in a manner that is timely, clear, and easily accessed by tenants; and
 - c) annually submit to the regulator information specified by the regulator relating to their performance against those measures. The information must be submitted within a timeframe and in a form determined by the regulator.
- 2.4.3 In meeting 2.4.1 and 2.4.2 above, registered providers must ensure that the information is an accurate, reliable, valid, and transparent reflection of their performance against the tenant satisfaction measures.
- 2.4.4 Registered providers must provide tenants with information about:
- a) how they are performing in delivering landlord services and what actions they will take to improve performance where required
 - b) how they have taken tenants' views into account to improve landlord services, information and communication
 - c) how income is being spent
 - d) their directors' remuneration and management costs.

2.5 Complaints

- 2.5.1 Registered providers must ensure their approach to handling complaints is simple and accessible.
- 2.5.2 Registered providers must publicise their complaints process and what tenants can do if they are dissatisfied with the outcome of a complaint or how a complaint was handled.
- 2.5.3 Registered providers must provide tenants with information about the type of complaints received and how they have learnt from complaints to continuously improve services.

2.6 Self-referral

- 2.6.1 Registered providers must communicate in a timely manner with the regulator on all material issues that relate to non-compliance or potential non-compliance with the consumer standards.



Regulator of
Social Housing

Neighbourhood and Community Standard

Consumer standards

2023



1. Required outcomes

1.1 Maintenance of shared spaces

1.1.1 Registered providers must work co-operatively with tenants⁵, other landlords and relevant organisations to contribute to the upkeep and safety of shared spaces⁶ associated with their homes.

1.2 Local cooperation

1.2.1 Registered providers must co-operate with relevant partners to promote social, environmental and economic wellbeing in the areas where they provide social housing.

1.3 Safer neighbourhoods

1.3.1 Registered providers must work in partnership with appropriate local authority departments, the police and other relevant organisations to deter and tackle anti-social behaviour (ASB) in the neighbourhoods where they provide social housing.

1.4 Domestic abuse

1.4.1 Registered providers must work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.

⁵ Throughout the consumer standards 'tenants' means tenants and other occupiers of social housing which includes licensees and shared owners (unless explicitly stated).

⁶ 'Shared spaces' are those spaces used by tenants that are not the responsibility of the landlord, as opposed to communal areas where landlords have direct responsibilities for ensuring their safety and maintenance.

2. Specific expectations

2.1 Maintenance of shared spaces

2.1.1 Registered providers must work co-operatively to assist in resolving issues affecting the upkeep and safety of the shared spaces associated with their homes.

2.2 Local cooperation

2.2.1 Registered providers, having taken account of their strategic objectives, the views of tenants and their presence within the areas where they provide social housing, must:

- a) identify and communicate to tenants the roles registered providers play in promoting social, environmental and economic wellbeing and how they will achieve them; and
- b) co-operate with local partnership arrangements and the strategic housing function of local authorities where they are able to assist them in achieving their objectives.

2.3 Safer neighbourhoods

2.3.1 Registered providers must have a policy on how they work with relevant organisations to deter and tackle ASB in the neighbourhoods where they provide social housing.

2.3.2 Registered providers must clearly set out their approach for how they tackle and deter hate incidents in neighbourhoods where they provide social housing.

2.3.3 Registered providers must enable ASB to be reported easily and keep tenants informed about the progress of their case.

2.3.4 Registered providers must provide prompt and appropriate action in response to ASB, having regard to the full range of tools and legal powers available to them.

2.3.5 Registered providers must support tenants who are affected by ASB, including by signposting them to agencies who can give them appropriate support and assistance.

2.4 Domestic abuse

2.4.1 Registered providers must have a policy for how they respond to cases of domestic abuse.

2.4.2 Registered providers must co-operate with appropriate local authority departments to support the local authority in meeting its duty to develop a strategy and commission services for victims of domestic abuse and their children within safe accommodation.



Regulator of
Social Housing

Tenancy Standard

Consumer standards

2023



1. Required outcomes

1.1 Allocations and lettings

- 1.1.1 Registered providers must allocate and let their homes in a fair and transparent way that takes the needs of tenants⁷ and prospective tenants into account.

1.2 Tenancy sustainment and evictions

- 1.2.1 Registered providers must support tenants to maintain their tenancy or licence. Where a registered provider ends a tenancy or licence, they must offer affected tenants advice and assistance.

1.3 Tenure

- 1.3.1 Registered providers shall offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock.
- 1.3.2 They shall meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements or terms of occupation.

1.4 Mutual exchange

- 1.4.1 Registered providers must support relevant tenants living in eligible housing to mutually exchange their homes.

⁷ Throughout the consumer standards 'tenants' means tenants and other occupiers of social housing which includes licensees and shared owners (unless explicitly stated).

2. Specific expectations

2.1 Allocations and lettings

- 2.1.1 Registered providers must co-operate with local authorities' strategic housing functions and assist local authorities to fulfil their duties to meet identified local housing need. This includes assistance with local authorities' homelessness duties, and through meeting obligations in nominations agreements.
- 2.1.2 Registered providers must seek to allocate homes that are designated, designed, or adapted to meet specific needs in a way that is compatible with the purpose of the housing.
- 2.1.3 Registered providers must develop and deliver services to address under-occupation and overcrowding in their homes. These services should be focused on the needs of tenants.
- 2.1.4 Registered providers must take action to prevent and tackle tenancy fraud.
- 2.1.5 Registered providers must have a fair, reasonable, simple and accessible appeals process for allocation decisions.
- 2.1.6 Registered providers must record all lettings and sales as required by the Continuous Recording of Lettings (CORE) system.

2.2 Tenancy sustainment and evictions

- 2.2.1 Registered providers must provide services that support tenants to maintain their tenancy or licence and prevent unnecessary evictions.
- 2.2.2 Registered providers must provide tenants required to move with timely advice and assistance about housing options before the tenancy or licence ends.

2.3 Tenure

- 2.3.1 Registered providers shall publish clear and accessible policies which outline their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions, and tackling tenancy fraud, and set out:
 - (a) The type of tenancies they will grant.
 - (b) Where they grant tenancies for a fixed term, the length of those terms.
 - (c) The circumstances in which they will grant tenancies of a particular type.

- (d) Any exceptional circumstances in which they will grant fixed term tenancies for a term of less than five years in general needs housing following any probationary period.
- (e) The circumstances in which they may or may not grant another tenancy on the expiry of the fixed term, in the same property or in a different property.
- (f) The way in which a tenant or prospective tenant may appeal against or complain about the length of fixed term tenancy offered and the type of tenancy offered, and against a decision not to grant another tenancy on the expiry of the fixed term.
- (g) Their policy on taking into account the needs of those households who are vulnerable by reason of age, disability or illness, and households with children, including through the provision of tenancies which provide a reasonable degree of stability.
- (h) The advice and assistance they will give to tenants on finding alternative accommodation in the event that they decide not to grant another tenancy.
- (i) Their policy on granting discretionary succession rights, taking account of the needs of vulnerable household members.

2.3.2 Registered providers must grant general needs tenants a periodic secure or assured (excluding periodic assured shorthold) tenancy, or a tenancy for a minimum fixed term of five years, or exceptionally, a tenancy for a minimum fixed term of no less than two years, in addition to any probationary tenancy period.

2.3.3 Before a fixed term tenancy ends, registered providers shall provide notice in writing to the tenant stating either that they propose to grant another tenancy on the expiry of the existing fixed term or that they propose to end the tenancy.

2.3.4 Where registered providers use probationary tenancies, these shall be for a maximum of 12 months, or a maximum of 18 months where reasons for extending the probationary period have been given and where the tenant has the opportunity to request a review.

2.3.5 Registered providers shall grant those who were social housing tenants on the day on which section 154 of the Localism Act 2011 comes into force, and have remained social housing tenants since that date, a tenancy with no less security where they choose to move to another social rented home, whether with the same or another landlord. (This requirement does not apply where tenants choose to move to accommodation let on Affordable Rent terms).

2.3.6 Registered providers shall grant tenants who have been moved into alternative accommodation during any redevelopment or other works a tenancy with no less security of tenure on their return to settled accommodation.

2.4 Mutual exchange

- 2.4.1 Registered providers must offer a mutual exchange service which allows relevant tenants potentially eligible for mutual exchange, whether pursuant to a statutory right or a policy of the registered provider, to easily access details of all (or the greatest practicable number of) available matches without payment of a fee.
- 2.4.2 Registered providers must publicise the availability of any mutual exchange service(s) it offers to its relevant tenants.
- 2.4.3 Registered providers must provide support for accessing mutual exchange services to relevant tenants who might otherwise be unable to use them.
- 2.4.4 Registered providers must offer tenants seeking to mutually exchange with information about the implications for tenure, rent and service charges.

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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.



Regulator of
Social Housing

Annex 2

Consumer standards Code of Practice

July 2023

Consumer standards Code of Practice

The role of the Code of Practice

1. This Code of Practice (the Code) is designed to amplify some of the requirements in the consumer standards (the Standards) by elaborating on the content, with illustrative examples where we think they are useful. It aims to help registered providers understand what the regulator is looking for when seeking assurance from them on meeting the Standards. The Code does not elaborate on all expectations set out in the Standards, only where the regulator considers that amplification of the Standard may help registered providers understand how compliance with the Standard can be achieved. This does not indicate the relative importance of different elements of the Standards. Registered providers must comply with all of the Standards.
2. Registered providers should have regard to the Code when assessing their compliance against the Standards. In considering whether they have been met, the regulator will have regard to the Code. It is therefore important that registered providers are familiar with its content. However, it is the Standards rather than the Code that registered providers must meet.
3. The regulator adopts a co-regulatory approach to its work. It sets both economic and consumer standards designed to help it to deliver its statutory objectives. Responsibility lies with the Boards and councillors of registered providers to meet the standards. The Code fits with the co-regulatory regime by allowing registered providers to develop their own approaches to achieve the outcomes and expectations set out in the Standards. Board and councillors of registered providers should have robust mechanisms in place to provide them with assurance that their organisation complies with the Standards.
4. Examples of how registered providers might achieve compliance are not intended to be exhaustive nor prescriptive. Should a registered provider comply with the requirements of the Standards in a different manner then it is free to do so. If there are any conflicts between the Code and the Standards, the Standards take precedence.
5. The Code is structured to follow the same order of the different sections as they appear in the Standards. At the beginning of each theme in the Code, we state clearly which required outcome and specific expectations we are expanding upon.

6. Registered providers are required to comply with the Standards. This applies both where the registered provider delivers services to tenants directly and where services are delivered via other organisations. Where they contract out any landlord services to a third party, the registered provider remains responsible for complying with the Standards and should have assurance that the Standards are being met.
7. The outcomes in the Standards are interdependent as they all share a common aim of ensuring the provision of effective landlord services and quality, well-maintained and safe homes. Providers should consider that if they are unable to demonstrate compliance with one element of the Standards, this is likely to mean that there are gaps in their assurance of compliance with other requirements.
8. The Code refers to a number of documents, some of which are owned by the regulator, and some are owned by other organisations. These documents and links to them may be updated, amended and replaced from time to time, and it is the responsibility of registered providers to ensure that they comply with the latest version of these documents at any point in time.

Safety and Quality Standard

Stock quality

(Relevant to required outcome 1.1.1 and specific expectations 2.1.1 and 2.1.2)

9. Providing safe and well-maintained homes is a fundamental responsibility of all registered providers. Having a sufficiently detailed understanding of the condition of their homes at an individual property level is vital to providers being able to achieve this and helps to ensure that they comply with all applicable requirements. In achieving this outcome, private registered providers should be mindful of the regulator's requirement in the Governance and Financial Viability Standard in relation to maintaining a thorough, accurate and up to date record of their assets and liabilities.
10. Registered providers are expected to undertake regular physical assessments of both the inside and the outside of all their homes. They should assess whether their homes are:
 - safe and free from serious hazards
 - kept in good repair
 - meet relevant standards prescribed in law.
11. Registered providers should survey homes frequently enough and in sufficient depth to maintain their assurance on the quality and safety of their stock. Appropriate frequency and depth will be influenced by a range of factors, including but not limited to, property age, construction, and archetypes as well as data from complaints and reports from repairs and maintenance programmes. For some registered providers, a five-year rolling programme of stock condition surveys across all homes might be appropriate; however for some providers or for some of their stock, more frequent assessments might be needed, for example where there are high levels of responsive repair requests or recurring problems which might be indicative of wider issues.
12. Registered providers should ensure that they not only have a robust approach to assessing and recording the conditions of their homes, but they should also use information from other sources such as complaints to ensure they have a rounded view of the condition of their stock and the needs of individual tenants living in those homes. Where investment and repair requirements are identified, registered providers should have appropriate systems in place to ensure they are acted upon in an appropriate and timely manner.

Decency

(Relevant to required outcome 1.2.1)

13. Registered providers are required to comply with section 5 of the Government's Decent Homes Guidance, and should have an approach to repairs, maintenance and planned improvements which ensures that their homes are maintained to meet all criteria of the Decent Homes Standard, including being free from Category 1 hazards.
14. Registered providers' understanding of the condition of their homes should include compliance against all criteria of the Decent Homes Standard. In addition, registered providers should have an effective plan in place to ensure compliance with all criteria of the Decent Homes Standard is maintained.
15. Where a registered provider has agreed a period of non-compliance with the Decent Homes Standard with the regulator, it should ensure that it meets all applicable health and safety legal requirements for the duration of the period and should communicate the non-compliance with the Decent Homes Standard and its implications to affected tenants.

Health and safety

(Relevant to required outcome 1.3.1 and specific expectations 2.2.1 and 2.2.3)

16. As part of achieving this outcome, registered providers must ensure they understand and comply with all applicable health and safety legal requirements, including secondary legislation (in relation to, for example, gas safety, fire safety, electrical safety, water safety, lift safety, asbestos safety, smoke alarms and carbon monoxide). In ensuring compliance, registered providers are expected to have regard to appropriate statutory guidance and to meet the legal requirements relating to the role of the health and safety lead.
17. Registered providers should ensure that they maintain sufficient assurance that they meet all relevant health and safety requirements, which reflects the level of potential risk and impact on tenants. They should have a full understanding of what the data is telling them about how safe tenants are, the effectiveness of controls in place and how tenants' needs are being met.

18. As part of ensuring the wider safety of tenants in the design and delivery of landlord services, registered providers should have an effective approach to proactively identifying the risks to tenants' safety and eliminating or mitigating those risks. Examples of actions that providers may take to ensure the safety of tenants include, housing tenants together appropriately when allocating shared properties, assessing the vulnerability and risk of anti-social behaviour victims in considering what action to take, and taking into account individual tenants' safety, security and health when prioritising repairs.

Repairs, maintenance and planned improvements

(Relevant to required outcome 1.4.1 and specific expectations 2.3.3,2.3.4 and 2.3.5)

19. Registered providers are expected to have in place and comply with effective policies, procedures and processes in relation to repairs, maintenance and planned improvements that take into account tenants' views and diverse needs. This may include, for example, increasing the priority of repairs for some older tenants and where a household member is disabled, and installing extra locks and security lights for tenants experiencing domestic abuse or anti-social behaviour, in order to safeguard them.
20. Registered providers should communicate promptly with tenants about repairs, maintenance and planned improvements and keep them regularly updated on progress and how they are resolving any issues. For example, they should aim to consult affected tenants in a timely manner before the start of any planned improvement programmes, and update affected tenants if providers foresee any delays to the programme. In doing so, they should be mindful of the regulator's requirements in relation to the diverse needs of tenants.
21. In relation to communal areas, where there is an arrangement in place for a third party to manage a communal area on a registered provider's behalf, the registered provider is required to ensure that the communal area is well-maintained, and to hold the third party to account if it is not.

Adaptations

(Relevant to required outcome 1.5.1 and specific expectation 2.4.1 and 2.4.2)

22. Not all registered providers directly provide a housing adaptations service, but nonetheless they should all have a process in place to assist tenants in need of housing adaptations, which they must communicate to tenants. As part of this communication, registered providers are expected to inform tenants about the application process, and where relevant, providers should make clear any local variations to the application process that may apply. Assistance to tenants requiring a housing adaptation may take the form of, for example, providers applying for an adaptation to the relevant organisation on a tenant's behalf or establishing clear timescales with the relevant organisation providing the adaptation.
23. Where the housing adaptations service is provided by a third party, the registered provider should not unreasonably withhold permission for a housing adaptation to be installed in a tenant's home. Where the registered provider provides a housing adaptations service, they should not unreasonably refuse a tenant's request for a housing adaptation. Where a registered provider does not meet a tenant's request for a housing adaptation, the provider should consider whether it is appropriate to offer alternative measures in order to support the affected tenant.

Transparency, Influence and Accountability Standard

Fairness and respect

(Relevant to required outcome 1.1.1)

24. All tenants deserve to be treated with fairness and respect and this principle should underpin how registered providers deliver all landlord services. Registered providers should foster a strong culture throughout their organisation of fairness, courtesy and respect, where tenants are listened to and can trust their landlord. In treating tenants fairly, providers should consider how they can adapt their services and communications to meet individual tenants' needs.

Diverse needs

(Relevant to required outcome 1.2.1 and specific expectations 2.1.1., 2.1.2, 2.1.3 and 2.1.4)

25. Registered providers are expected to consider the diverse needs of their tenants across all landlord services and housing. It should be integral to the culture of the organisation. Examples of how providers can ensure fair access for tenants to landlord services may include, investigating any complaints of alleged discrimination from tenants promptly and implementing any relevant learning, providing regular equality, diversity and inclusion training for staff, Board members or councillors, and carrying out work to understand the barriers different groups of tenants might face in accessing services and working to remove those barriers.
26. Registered providers are expected to have robust information about their tenants and keep this information up to date. This should include, but not be limited to, in relation to the protected characteristics, and their support and communication needs. It is for registered providers to work with tenants to decide the most effective approach to gathering this information and keeping it up to date, and to share with tenants how they make use of the data to improve and tailor services. Some providers may gather this information via periodic face-to-face contact with tenants, for example, while others may decide to use all points of contact with tenants to request the information, where appropriate. Registered providers should explore a range of different solutions to ensure they maximise the response rate for collecting this information from tenants.
27. As part of achieving this outcome, registered providers should also use relevant information about their tenant base as a whole, in addition to information about individual tenants, to inform the design and delivery of their strategies, policies and landlord services.

28. Registered providers should regularly assess whether all tenants have fair access to, and equitable outcomes of, housing and landlord services. Providers should take account of the findings of their assessments and should be able to demonstrate actions they have taken as a result.
29. Registered providers should make tenants aware of the different ways in which services are tailored to meet their needs. This could include, for example, by informing tenants when they report a repair that a choice of appointment time is available, or that information can be supplied in alternative formats such as pictorial and in different languages on request.
30. Registered providers should have in place an effective, simple and accessible process to enable tenants and prospective tenants to nominate a representative to act on their behalf in interactions with the landlord about landlord services, for example, in order to report a complaint on a tenant's behalf and to discuss progress of a repair or a housing application.

Engagement with tenants

(Relevant to required outcome 1.3.1 and specific expectations 2.2.1, 2.2.2., 2.2.3, 2.2.4, 2.2.5 and 2.2.6)

31. Genuine consideration of tenants' views should be at the heart of registered providers' different levels of decision-making about the delivery of landlord services. Boards and councillors of registered providers should assure themselves that tenants' views have been actively sought and considered, as part of their decision-making about their organisation's landlord services. This may include, for example, in relation to agreeing their asset management strategy, the setting of service standards, agreeing responsive repair timescales and setting performance targets for different landlord services. In addition, consideration of how to improve and tailor landlord service delivery should be an ongoing activity taking place at all levels of the organisation and across all areas of service delivery.
32. Registered providers should take reasonable steps to ensure that all tenants have an equitable opportunity to be involved in influencing and scrutinising strategies, policies and services, taking into account the diverse needs of tenants.
33. Assistance that registered providers offer to tenants wishing to implement tenant-led activities to influence and scrutinise their landlord's strategies, policies and services may include, for example, providing venues for meetings, administrative support, funding and training.

34. Where a registered provider is considering a change in landlord or a significant change in management arrangements, it is important that in their consultation with affected tenants they tailor their communication methods and take all reasonable steps to ensure that all affected tenants have access to and can understand the landlord's proposals. This should include tenants who may experience communication barriers, have additional support needs and are unable to use online services.
35. Consultation with tenants must be meaningful, which includes engaging with affected tenants in a range of ways. Providers should begin their consultation with affected tenants at an early stage in the process, while there is scope to influence the decision and/or outcome and should run the consultation for a sufficient amount of time to give affected tenants an equitable opportunity to consider and respond to the proposals. Registered providers should make clear any potential material impacts, positive and negative, of the proposed changes, for example, any impact on rent and service charge levels, service delivery or security of tenure. They should also set out clearly the main reasons for the changes being proposed to affected tenants. Board and councillors of registered providers should assure themselves that feedback from affected tenants has been genuinely considered in their decision-making about proposals, and the provider should demonstrate this to affected tenants.

Information about landlord services

(Relevant to required outcome 1.4.1 and specific expectations 2.3.1., 2.3.2 and 2.3.4)

36. Effective communication with tenants and the provision of clear and accessible information is at the heart of an effective tenant/landlord relationship. Registered providers should make tenants aware of the services and standards of service they provide, and the different ways in which tenants can contact their landlord.
37. Where registered providers are delivering a service directly to a tenant, they should communicate with them from the start through to the completion of that service. For example, where a tenant reports a repair to their landlord, the registered provider should keep them updated about progress of the repair on a regular and ongoing basis, particularly where there is going to be a delay in carrying out the repair, or where multiple trades and visits are required.
38. The expectation that registered providers must make information available to tenants about the relevant roles and responsibilities of senior level employees or officers applies to all registered providers, whether they employ paid staff or not.

Performance information

(Relevant to required outcome 1.5.1 and specific expectations 2.4.2b, 2.4.3 and 2.4.4.a, 2.4.4.b and 2.4.4.d)

39. Tenants having access to reliable and accurate performance information about landlord services helps to ensure transparency and to drive effective tenant scrutiny.
40. In addition to complying with the regulator's requirement to publish their performance against the tenant satisfaction measures (TSMs) in a form required by the regulator; registered providers should, following engagement with their tenants, also consider publishing some or all TSM data at a more granular level and/or on a more frequent basis, in order to support tenant scrutiny. For example, they may report some or all TSM data separately for:
 - Entities within their group and/or
 - Specific property types such as general needs or housing for older people and/or
 - Different geographical areas
 - Specific tenant groups (relevant to the TSM tenant perception measures: TP01-TP12) such as tenants who share different protected characteristics.
41. Where a registered provider publishes TSM data in more detail as set out in paragraph 39, they should ensure, as far as possible, that they calculate and report the data in accordance with the regulator's TSM requirements. Any significant deviation from these requirements should be clearly set out alongside the reported TSM data.
42. It is important that tenants and other stakeholders are able to trust what TSM data tells them about landlords' performance. Registered providers should ensure they have adequate assurance that they comply with the regulator's TSM requirements.
43. Registered providers should be able to demonstrate that they understand their performance, including where and why performance has changed over time. They should have clear and measurable plans in place to improve performance where required and should be able to demonstrate that they are effectively delivering to those plans. When providing performance information, registered providers should consider how they can support tenants to understand the information being presented, including relevant performance improvement plans, for example, by including contextual and benchmarking information.
44. In providing information about how they have taken tenants' views into account, registered providers should be able to demonstrate any changes they have made to landlord services as a result of insight from tenants' views, including learning from complaints.

45. In providing information to tenants on directors' remuneration and management costs, registered providers should consider the regulator's note on how to calculate these costs, which can be found on our website.

Complaints

(Relevant to required outcome 1.6.1 and specific expectations 2.5.1, 2.5.2 and 2.5.3)

46. Addressing complaints fairly, effectively and promptly is essential for providers to build trust with tenants. Providers should make every effort to ensure that tenants are aware of their complaints process. Tenants should be able to raise a complaint easily and should be listened to by their landlord when they do so.
47. In addressing complaints, registered providers should ensure that they provide regular updates to affected tenants about the progress they have made to resolve the complaint fairly and the next steps they plan to take, with clear timescales.
48. In meeting this outcome, registered providers are expected to consider relevant requirements of other bodies, including those of the Housing Ombudsman and specifically their Complaint Handling Code.
49. Complaints present registered providers with valuable insight into tenants' experiences of interacting with their landlord. Registered providers should make good use of this learning in order to improve services for tenants, bringing about change at a service or organisational level where appropriate. As part of this learning, registered providers should analyse trends and themes from complaints data.

Self-referral

(Relevant to specific expectation 2.6.1)

50. The regulator requires registered providers to tell it at the earliest opportunity about any material issues that indicate there has been or may be a breach of the Standards. This transparency is an essential part of providers meeting their co-regulatory responsibilities. If a registered provider is unsure as to whether an issue is material, they should contact the regulator to discuss the matter further.

Neighbourhood and Community Standard

Maintenance of shared spaces

(Relevant to required outcome 1.1.1 and specific expectation 2.1.1)

51. 'Shared spaces' are spaces used by a registered providers' tenants that are not the responsibility of the landlord, as opposed to communal areas where landlords have direct responsibilities for ensuring their safety and maintenance.
52. Although the maintenance of shared spaces as defined in the Standards is not the responsibility of registered providers, they are expected to liaise with other parties as appropriate to ensure this outcome is achieved. This may entail, for example, working with local partners to develop a community garden in the local area, or liaising with partners to organise the removal of fly tipping.

Local cooperation

(Relevant to required outcome 1.2.1 and specific expectation 2.2.1)

53. The regulator acknowledges that the roles registered providers play in promoting social, environmental and economic wellbeing in the areas in which they operate are likely to vary, as providers need to take account of their strategic objectives, the views of tenants and their presence in those areas, amongst other considerations.

Safer neighbourhoods

(Relevant to required outcome 1.3.1 and specific expectations 2.3.1, 2.3.2, 2.3.3 and 2.3.5)

54. Anti-social behaviour (ASB) and hate incidents can have a significant negative impact on tenants of social housing, both for those experiencing them directly and for those living in the community where the ASB and hate incidents are occurring.
55. In order to deter and tackle ASB and hate incidents effectively in areas where they operate, registered providers must work with appropriate partners, with a common aim of trying to reduce ASB and hate incidents. Joint initiatives may include, for example, providing mediation services to try to resolve disputes before they escalate, undertaking security measures and environmental improvements and providing diversionary activities.

56. It is vital that registered providers have effective policies and processes to tackle ASB and hate incidents, and they should communicate these to tenants. These should include their approaches to investigating reports of ASB and hate incidents (including the roles of other relevant agencies), the support available to affected tenants and the actions they take to deal with perpetrators of ASB and hate incidents.
57. Registered providers should take into account the diverse needs of tenants in considering how tenants report ASB and hate incidents to them and eliminate any barriers to reporting such incidents.
58. In managing reports of ASB and hate incidents, including keeping tenants informed about the progress of their ASB case, registered providers should be mindful of their data protection obligations and any ongoing legal proceedings.
59. We expect registered providers to take a victim-centred approach to supporting tenants affected by ASB. This support can take different forms such as, for example, making a referral to an external support agency or taking into account the wishes of the complainant when determining the course of action the provider will take. As part of this approach, registered providers should consider how they support vulnerable perpetrators of ASB, to help them to sustain their tenancy.

Domestic abuse

(Relevant required outcome 1.4.1 and specific expectations 2.4.1 and 2.4.2)

60. Registered providers should understand the significant impact that domestic abuse can have both on tenants experiencing it and their household members. In achieving this outcome, registered providers should make tenants aware of appropriate support and advice available regarding domestic abuse, including from third party organisations.
61. As part of their approach to domestic abuse, registered providers should consider, for example, the skills of staff supporting tenants experiencing domestic abuse and any appropriate specialist training they would benefit from, offering to provide a same-sex staff member to support them, or offering appropriate referrals to specialist domestic abuse agencies.
62. Registered providers should have a victim-centred approach to assisting tenants who experience domestic abuse. To be able to identify and respond appropriately to reports of domestic abuse, registered providers should ensure they have an appreciation of the different specific needs of tenants who experience it, including those arising from the tenant's protected characteristics, such as disability and race. As part of their approach, registered providers must handle sensitive information relating to cases of domestic abuse in compliance with relevant legislation.

63. The duty referred to in 2.4.2 refers to the duty placed on local authorities in the Domestic Abuse Act 2021 (the Act) to develop and implement a strategy for accommodation-based support (which according to the Act is support in relation to domestic abuse, provided to victims of domestic abuse, or their children, who reside in relevant accommodation) in its area. Further information about this duty can be found in the government's statutory guidance: Domestic Abuse Act 2021 - GOV.UK (www.gov.uk).

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Tenancy Standard

Allocations and lettings

(Relevant to required outcome 1.1.1 and specific expectations 2.1.1, 2.1.2, 2.1.4 and 2.1.6)

64. Registered providers should have effective policies and processes in place for allocating their homes and should work effectively with local authorities to help meet identified local housing need. They should clearly set out their decision-making criteria, including in relation to transfers.
65. In order to be able to take the needs of tenants and prospective tenants into account in the allocations process, registered providers will need to have a robust and accurate understanding of local housing need and their homes, including in relation to which homes have been adapted.
66. Tenancy fraud can take a number of forms. Actions providers can take to prevent and tackle tenancy fraud include, carrying out effective checks before the start of and during a tenancy, publicising their approach including outcomes to tackling tenancy fraud, and providing guidance to staff on how to prevent, detect and take action against suspected tenancy fraud.
67. Information on the government's CORE (COntinuous REcording of Lettings and Sales in Social Housing in England) system is available at: CORE - CORE - Home (communities.gov.uk).

Tenancy sustainment and evictions

(Relevant to required outcome 1.2.1 and specific expectations 2.2.1 and 2.2.2)

68. Registered providers may provide support directly to tenants to help them maintain their tenancy or licence, or they may signpost tenants to appropriate organisations to provide this support. Examples of support that may be provided include, helping tenants to manage their money and maximise their income, offering energy advice, and helping vulnerable tenants to be able to live independently, including those who experience mental health issues, or drug and alcohol dependency.

69. Where a registered provider ends a tenancy or licence, they must offer those affected timely advice and assistance. This assistance can take the form of, for example, helping affected tenants to apply for alternative housing or signposting them to appropriate support and advice services. Registered providers should ensure that any advice and assistance about housing options is offered at the earliest opportunity in the process, to enable those affected to understand the process of finding suitable alternative accommodation.
70. Alongside other objectives, such as minimising loss of rental income, registered providers should bear in mind their objectives as landlords of social housing, including in relation to preventing homelessness and helping tenants to maintain their tenancies, when considering whether to escalate eviction proceedings.

Tenure

(Relevant to required outcomes 1.3.1 and 1.3.2 and specific expectations 2.3.1b, 2.3.1d and 2.3.1g)

71. Registered providers should consider the suitability of the tenancies that they issue, taking into account the tenants' needs and the purpose of the accommodation. They must comply with all relevant law in issuing tenancies or terms of occupation. Where appropriate, they may wish to seek legal advice.
72. Registered providers that make use of licences as the basis of occupation should ensure that they use them appropriately.
73. As part of setting out their approach to tenancy management, registered providers should help tenants understand both their own responsibilities and those of their landlord in relation to their tenancy.
74. In relation to 2.3.1b and 2.3.1d, registered providers should only grant tenancies for a minimum fixed term of less than five years in exceptional circumstances and should not adopt a blanket approach to granting such tenancies. For example, all tenants in a particular area or all tenants of a certain age. Where a registered provider makes use of fixed term tenancies for a term of less than five years, they should set out in a policy the circumstances in which they will do so.
75. As part of meeting 2.3.1g, registered providers should be able to demonstrate how they have taken into account the needs of vulnerable households in their approach to tenancy management.
76. For clarity, reference to the use of probationary tenancies in our requirements includes the use of introductory or other equivalent tenancies.

Mutual exchange

(Relevant to required outcome 1.4.1 and specific expectations 2.4.3)

77. Support to relevant tenants wishing to mutually exchange may include, for example, registered providers supplying them with clear and simple information about the mutual exchange process, including the associated responsibilities of the landlord and of the tenant, and helping tenants to register with an online mutual exchange service if required.

Legal status of the Code

78. This Code is issued by the Regulator of Social Housing, under section 195(1) of the Housing and Regeneration Act 2008 (as amended) (the Act).
79. Section 195(2) of the Act provides that the regulator may have regard to the Code when considering whether the Standards have been met.



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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.



Regulator of
Social Housing

Annex 3

Regulatory impact assessment

Consumer standards

July 2023



Regulatory impact assessment	
Title of proposal	Changes to the consumer standards
Date	July 2023
RPC opinion	Not required

Summary: Intervention and options			
Cost of preferred option (in 2019 prices)			
Total net present social value	Business net present value	Net cost to business per year	Business impact target status
£-0.9m ¹	£-0.6m	£0.1m ² (EANDCB in 2019 prices) ³	Not a qualifying provision

**What is the problem under consideration?
Why is regulatory action or intervention necessary?**

The Government's *Social Housing White Paper: The Charter for Social Housing Residents*⁴ (the White Paper) put forward proposals to reform social housing regulation. It set out commitments to proactive consumer regulation, transparency on landlord performance, safety in the home, effective handling of complaints, strengthened resident engagement, and good quality homes and neighbourhoods. The Social Housing (Regulation) Act 2023 (the 2023 Act) provides the legal basis for many of the measures set out in the White Paper.

The regulatory standards underpin our approach to regulation; this includes our consumer standards which apply to both private registered providers (PRP) and local authority registered providers (LARP). The Government expects the regulator to review the consumer standards to ensure they are up to date, deliver our revised objectives and include the regulatory changes⁵ outlined in the White Paper. We have therefore strengthened and updated them (whilst keeping those parts which remain relevant) to include the White Paper's regulatory expectations.

Social housing is made available to people whose needs may not be adequately served by the commercial housing market. Below-market rents and need-focused allocation policies mean that tenants of social housing have limited opportunities to exercise consumer choice over their landlord, quality of accommodation and services offered. For example, the market power of tenants alone may not be enough to guarantee stock quality, health and safety and tenancy sustainment. The consumer standards provide an alternative mechanism, ensuring there are required outcomes and expectations that landlords must meet so that they can be held to account.

¹ Due to the difficulty of trying to estimate the social value solely by the review of the consumer standards the impact assessment has focussed solely on the costs.

² Costs to businesses is represented by the cost implication for PRPs, as costs incurred by LARPs are not costs to business

³ Equivalent Annual Net Direct Cost to Business

⁴ [The charter for social housing residents: social housing white paper](#)

⁵ Refers to the regulatory changes or expectations that affect the consumer standards as opposed to the wider regulatory changes to implement a proactive approach to consumer regulation – described further in paragraph 22.

What are the policy objectives of the action or intervention and the intended effects?

The objective of the intervention is for the regulator to set up to date outcome-based consumer standards with an associated Code of Practice, which have been informed by the views of stakeholders. The proposed Code of Practice amplifies some of the requirements in the standards by elaborating on the content, where necessary. As a result of the intervention, the regulator will be able to continue to meet its statutory objectives.

As well as setting out the outcomes we expect landlords to achieve, the main indicators of success will be that the consumer standards set the right expectations of landlords to deliver good quality homes and services, make a meaningful difference to tenants, are deliverable by landlords and can be regulated effectively by us.

What policy options have been considered? Please justify preferred option (further details in Evidence Base)

Option 1 – Business as usual (BAU) – counterfactual

The regulator continues to regulate registered providers against the existing consumer standards. This option is not recommended as it excludes the White Paper policy expectations and doesn't reflect the regulator's expanded remit following the introduction of the 2023 Act. This option has been included as a counterfactual in order to assess the cost of the revised standards.

Option 2 – Introducing a revised set of consumer standards that include the new requirements set out in the White Paper – lead option

The regulator reviews and revises the consumer standards so that they reflect our revised consumer objective, address the new policy expectations set out in the White Paper and are strengthened to respond, in part, to identified needs and market failures. It is proposed that the revised standards will be supported by a Code of Practice to amplify some of the requirements in the standards, where required.

Policy option 2 – preferred option

Summary: analysis and evidence

Description: Amend the regulatory framework to introduce new consumer standards for registered providers as specified in the lead option.			
Full economic assessment			
Price base year 2019	PV base year 2020	Time period years 10	Net Benefit (Present Value) (PV) (£m) £-0.9m⁶
Costs	Total transition (Constant Price)	Average Annual (excluding Transition) (Constant Price)	Net Cost (£m) (Present Value)
Best estimate	£0.9m (2019 prices, 2020 PV base year)	Not calculated	£0.9m (2019 prices, 2020 PV base year)
Description of scale of key monetised costs by ‘main affected groups’			
<p>PRPs⁷ and LARPs would incur transitional costs, including additional time to read and understand the new standards, disseminate them internally, and update organisational systems, policies, processes and data.</p> <p>Overall, we consider the cost to the sector to be low relative to its turnover, with the impact on small providers (fewer than 1,000 units) likely to be proportionately higher. Across the sector we consider the costs are manageable and proportionate.</p>			
Other key non-monetised costs by ‘main affected groups’			
<p>The existing consumer standards set required outcomes and specific expectations that registered providers must achieve. The majority of the new requirements build on these in a way that means assessing their cost would be disproportionate to achieve. This is particularly so because we set outcome focused standards so that registered providers remain sufficiently free to choose how to achieve the required outcomes, without the regulator prescribing this.</p> <p>We have also taken the view that it is not proportionate to monetise these costs given the variation across the sector in terms of what is already being delivered by some providers as BAU activity and what will be an additional cost. Whilst these may be significant for some registered providers, in general we consider they are difficult to disentangle from registered providers’ existing activities.</p>			

⁶ Based on a discount rate of 3.5%.

⁷ PRPs are considered to be businesses so the cost to them is the same as the cost to business.

Benefits	Total transition (Constant price)	Average annual (excl. Transition) (Constant price)	Total benefit (Present value)
Best estimate	Not costed	Not costed	Not costed
<p>Description and scale of key monetised benefits by ‘main affected groups’</p> <p>The benefits of the revised consumer standards have not been monetised for the reasons set out below.</p>			
<p>Other key non-monetised benefits by ‘main affected groups’</p> <p>Registered providers and social housing tenants are the main affected groups that will derive benefits from the introduction of the revised consumer standards and supporting Code of Practice.</p> <p>Registered providers: The new consumer standards and supporting Code of Practice will contribute positively to service delivery as the expectations have been clarified, strengthened, and expanded (including reflecting the regulator’s expanded consumer objectives and the White Paper’s expectations on regulation). As landlords will be clear on the regulator’s expectations, they will be facilitated to remain compliant.</p> <p>Tenants: Tenants will be better able to hold their landlord to account through clear and robust expectations, and the strengthened requirements will result in better outcomes for tenants.</p> <p>Many of the benefits are inextricably linked to the wider White Paper proposals and the 2023 Act’s purpose to strengthen the regulator’s consumer regulatory role. However, there are difficulties in trying to accurately estimate the social value generated solely by the consumer standards, for example, due to the lack of robust data and evidence. Also the difficulty in identifying causality of single measures from the White Paper and the 2023 Act’s proposals. The regulatory impact assessment has, therefore, focused solely on monetising the costs.</p>			
Key assumptions/sensitivities/risks			Discount rate⁸ (%) 3.5%
<p>The evidence base explains how the cost estimates have been arrived at and are intended to be viewed as a sector average. This is because there are a range of factors that will affect the cost of complying with the revised standards for different registered providers such as the number and arrangement of staff who work on consumer standards and assurance, adaptability of current processes and individual reading speeds.</p>			

⁸ Discounting is a technique used to compare costs and benefits occurring over different periods of time on a consistent basis. Discounting in appraisal of social value is based on the concept of time preference – that generally people prefer to receive goods and services now rather than later. Discounting is solely concerned with adjusting for social time preference and is separate from adjusting for inflation.

Assessing costs per individual provider would be hard to quantify with any level of accuracy and would be disproportionate to the level of cost divergence between registered providers. Given the likely costs and high degree of diversity in the sector, seeking to estimate average additionality is likely to be both disproportionate and give a spurious impression of accuracy.

We assume that registered providers of social housing would bear the full resource implications of the regulatory changes and that the number of registered providers in the future broadly remain at current levels.

Is this measure likely to impact on international trade and investment?	No			
Are any of these organisations in scope?	Micro Yes	Small Yes	Medium Yes	Large Yes
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)	Traded: N/A as de minimis CO ₂ impact anticipated.		Non-traded: N/A as de minimis CO ₂ impact anticipated.	
Will the policy be reviewed?	No			

Evidence base

1. The assessment has been completed with reference to the [Government's Better Regulation Framework](#) guidance⁹ and [The Green Book](#) guidance¹⁰ about how to appraise policies, and the approach to the costings set out in this note conforms as far as possible to published guidance. In line with this guidance, the level of detail employed in the cost analysis is intended to be proportionate to the level of costs and risks.
2. The evidence base of this impact assessment is structured as follows:
 - A. Problem under consideration
 - B. Rationale for regulatory intervention
 - C. Policy objective
 - D. Description of options considered
 - E. Monetised and non-monetised costs and benefits of each option
 - F. Risks and assumptions
 - G. Small and Micro Business Assessment
 - H. Preferred option with implementation plan
 - I. Monitoring and evaluation

⁹ [Better Regulation Framework \(2020\)](#)

¹⁰ [The Green Book \(2022\)](#)

A. Problem under consideration

Policy background

3. The fire at Grenfell Tower raised concerns about whether social landlords invest in their existing homes, listen to their tenants, treat them with respect and provide good customer service. Following this tragedy, in 2018 the Government published the Social Housing Green Paper [A new deal for social housing](#) which set out Government proposals to rebalance the relationship between social housing tenants and landlords. In response, there was clear and strong support for a new, rebalanced regulatory and sector approach, with a greater focus on tenants. Respondents strongly felt that, in order for this change to be effectively implemented, it must be backed through regulatory reform, building trust and accountability as well as driving up standards of social housing and service delivery by social landlords.
4. The Government set out how they would deliver this in the White Paper published in 2020. It proposed changes to the consumer regulation of social housing to strengthen the accountability of landlords for providing safe homes, quality services and treating residents with respect. As part of the regulatory reform, the White Paper highlighted the need to review the consumer standards to ensure they are up to date, fit for purpose and deliver on the regulator's expanded consumer objectives. Furthermore, the White Paper specified new policy expectations which were expected to be delivered through the consumer standards. The regulator has therefore carried out an extensive review of the existing consumer standards. We have strengthened our current standards (whilst keeping those parts which remain relevant) and updated them to include the White Paper's expectations on regulation.
5. This work has been informed by stakeholders. Over the last two years, we've spoken to a range of stakeholders including more than 2,000 tenants at conferences, workshops, and events. These conversations have included a focus on bringing to life the process of regulation, including the consumer standards and Code of Practice. As part of those conversations, we've heard feedback about the themes in the revised standards, as well as tenants' experiences and expectations of the services they receive from registered providers.

Scope

6. The Government conducted its own [impact assessment](#) on the changes to the regulatory system as part of the preparation of the Social Housing (Regulation) Bill¹¹. This included an expectation that the regulator would conduct its own impact assessment of the reviewed consumer standards and any associated code of practice in due course.
7. Therefore, this regulatory impact assessment is focused on the costs and benefits of introducing a revised set of consumer standards. PRPs are considered to be businesses so the cost to them is the same as the cost to business. The overall cost to the sector and social value includes the costs incurred by both PRPs and LARPs.

¹¹ Now the Social Housing (Regulation) Act 2023

Out of scope:

8. The consumer standards include aspects of consumer regulation which we are directed on by Government. This currently includes quality of accommodation, tenure, mutual exchange and tenant involvement¹². The 2023 Act introduces new powers of direction on: provision of information to tenants; competence and conduct; and Awaab's Law. The regulator anticipates being issued new directions on these in due course as well as revised directions on the quality of accommodation and tenure. Where the Government issues new or revised directions, it is expected that they will have carried out their own assessment of the impact of these changes and that the regulator will reflect these directions within the revised consumer standards. Within this context, the regulator has included the reading and familiarisation costs of the current directed elements of the consumer standards and Code of Practice as opposed to completely excluding them from the assessment. This is because they are interwoven in the consumer standard requirements and the revised standards should be interpreted holistically.
9. The regulator undertook an [impact assessment](#) on the introduction of Tenant Satisfaction Measures (TSM) in 2022 which included the technical requirements and consumer standard requirements; therefore, those costs are excluded from the costs for this impact assessment (apart from the reading/familiarisation associated with the TSM requirements in the consumer standards and Code of Practice).
10. As a separate exercise the regulator is in the process of revising its fees principles and reviewing the level of the fees it charges registered providers. This is to ensure that the fees principles align with its new powers and that it has adequate resources to undertake its expanded consumer regulation remit. Imposing or varying fees or charges is outside the scope of regulatory provisions¹³ and therefore a regulatory impact assessment is not required; however, a separate Business Engagement Assessment is being conducted for the new fees regime which will be published separately.

B. Rationale for regulatory intervention

11. Our standards serve as the foundations of our regulation. They set out the required outcomes and expectations that landlords must meet, thereby driving behavioural change in the sector and achieving positive outcomes for tenants. As such, the Government expects the regulator to review the consumer standards to ensure they are fit for purpose. As well as including the new White Paper policy expectations, additional amendments to the existing consumer standards are required to ensure they are up to date and relevant.
12. Apart from a relatively small change to the Tenant Involvement and Empowerment Standard in 2017, the consumer standards were last reviewed and updated in 2012. In some areas there is a need for the existing standards to be strengthened to respond to identified needs and market failures. By undertaking this review, the regulator will be able to make the required changes and ensure that outcomes are clear to landlords and tenants. The review will be able to, in part, address the following market failures¹⁴:

¹² [Revised directions on tenant involvement and mutual exchange](#) were issued in 2023. Existing direction on tenure and quality of accommodation are at the time of writing those issued in 2012.

¹³ for the purposes of the Small Business, Enterprise and Employment Act 2015

¹⁴ Market failures are described in the HM Treasury Green Book. [The Green Book: appraisal and evaluation in central government](#)

- Market power: social housing is made available to those whose needs are not adequately served by the commercial housing market. As social rents are below market, demand for social housing typically exceeds supply. Social housing tenants therefore have limited opportunities to exercise consumer choice over their landlord, quality of accommodation and services offered. For example, the market power of tenants alone may not be enough to guarantee stock quality, health and safety and tenancy sustainment. The consumer standards provide an alternative mechanism, ensuring there are required outcomes and expectations that landlords must meet so that they can be held to account.
- Asymmetric information: landlords are likely to have information about their housing and services that is not readily available to tenants. This information may be in a format that is inaccessible for non-experts. Standards around transparency are therefore a way to ensure tenants have relevant information about landlord services, understand what to expect from their landlord, and can hold their landlord to account. Clear consumer standards provide confirmation of the outcomes and expectations landlords must meet, increasing transparency and fairness in the sector.
- Imperfect information: Tenants are likely to stay in their homes for a number of years, with the potential for unexpected life events to arise such as illness and disability. The revised consumer standards demonstrate the outcomes and expectations required for all tenants including those who have particular needs now or in the future, for example, a need for adaptations or transfer.

13. In addition, consumer standards are a public good;¹⁵ to regulate the sector, standards need to be clearly articulated and easily understood. The information contained in the consumer standards is useful for landlords, tenants, funders and other stakeholders, as well as the regulator. It can be replicated freely and there is no ability to stop other people knowing the information. Publication of the revised consumer standards serves to set out the required outcomes and expectations that must be met.

14. The consumer standards are, therefore, widely recognised as an appropriate point of intervention to address these market failures.

C. Policy objective

15. The White Paper outlines changes to the consumer regulation of social housing to strengthen the accountability of landlords for providing safe homes, quality services and treating residents with respect. The proposed changes to the consumer standards underpin the regulator's strengthened consumer regulation role, setting out the expectations landlords will be required to meet, and what the regulator will seek assurance against.

16. Following public consultation, by April 2024 the regulator intends to publish revised consumer standards, informed by the views of stakeholders, that will help us to deliver our consumer regulation objective to:

- support the provision of social housing that is well-managed, safe, energy efficient and of appropriate quality

¹⁵ A public good is defined in the HM Treasury Green Book as 'non-excludable in supply' and 'non-rivalrous in demand'. That is, once provided it is available to all and one person's access does not diminish that of another. Clean air is a classic example.

- ensure that registered providers act in a transparent manner in relation to their tenants of social housing
- ensure that actual or potential tenants of social housing have an appropriate degree of choice and protection
- ensure that tenants of social housing have the opportunity to be involved in its management and to hold their landlords to account
- encourage registered providers of social housing to contribute to the environmental, social and economic well-being of the areas in which the housing is situated.

17. As a result of the intervention, the regulator will be able to continue to meet its statutory consumer objective. The indicators of success will be that the revised consumer standards set the right expectations of landlords to deliver good quality homes and services, make a meaningful difference to tenants, are deliverable by landlords and can be regulated effectively by us.

D. Description of options considered

Option 1 – Business as usual

18. Our approach to regulation is driven by our statutory fundamental objectives as set out in the Housing and Regeneration Act 2008. The regulator’s consumer objective prior to the 2023 Act was to make sure that tenants get well-managed, quality accommodation, have choice and protection, can hold their landlords to account, and to encourage registered providers to contribute to environmental, social and economic well-being. The 2023 Act has expanded our consumer objective to include safety, transparency and energy efficiency¹⁶.
19. Option 1 is based on the regulator continuing to regulate registered providers against the existing consumer standards. As the consumer standards are the principal method the regulator uses to hold landlords to account and deliver the statutory consumer objective, this option is not recommended. This is because the consumer standards would not have been updated to reflect the White Paper policy expectations, the change to legislation, and the regulator’s expanded remit; they would therefore not be fit for purpose. This option has been included as a counterfactual to assess the cost of the revised standards.

Option 2 – Revised consumer standards that include the new requirements set out in the White Paper - lead option.

20. Under option 2, the regulator would review and update the consumer standards so that they reflect our revised consumer objective, address the policy expectations outlined in the White Paper and are strengthened to respond, in part, to identified needs and market failures. The revised consumer standards are supported by a proposed Code of Practice to amplify some of the requirements in the standards, where required.

¹⁶ The Secretary of State has the power to direct the regulator on certain aspects of its regulatory standards. It is expected that the Government will carry out its own impact assessment on any resulting directions issued in the future.

21. The consumer standards apply to all registered providers, and as part of a co-regulatory approach it is for boards and councillors of those organisations to ensure they meet them. We set outcome focused standards so that registered providers remain sufficiently free to choose how to provide services and conduct their business. This aligns with the regulator's duties¹⁷ to regulate in a manner which is proportionate and minimises interference.
22. The 2023 Act removes the 'serious detriment' test, which currently places a high legal threshold on the regulator's ability to use its powers when we find a breach of the consumer standards. This change means we can take action in a wider range of circumstances. In addition, the 2023 Act strengthens our powers, including allowing the regulator to conduct consumer inspections, to seek assurance that both the service outcomes tenants experience and accountability arrangements are consistent with the expectations in our consumer standards. The 2023 Act also gives the regulator strengthened enforcement powers which can be used, if needed, when landlords are not meeting our standards¹⁸. It is expected that the Government's own impact assessment on the Social Housing (Regulation) Bill (which includes the new proactive approach to consumer regulation) will be reviewed and updated as required and so this does not form part of this impact assessment.

E. Monetised and non-monetised costs and benefits of each option

Sector overview

23. As at 31 March 2022 there were 1,381 registered provider groups (both PRPs and LARPs) that own 4,436,033¹⁹ units of social housing stock (homes), with a sector turnover of around £32 billion. Table 1 provides a summary of registered providers by type, stock size and turnover²⁰. There is a wide range in size of registered providers with the largest owning over 110,000 units to the smallest with only a few units. Where applicable, the assessment of costs to registered providers is based on costs at group level.

¹⁷ Under the [Housing and Regeneration Act 2008](#), s92K

¹⁸ The relevant sections of the 2023 Act which removes the serious detriment test and introduce new powers, come into force in April 2024.

¹⁹ All stock data is from the regulator's Statistical Data Return (SDR) and Local Authority Data Return (LADR) for March 2022.

²⁰ Source: regulatory data returns – The data relates to both PRPs and LARPs at registered group level.

Table 1: Summary of registered providers by type, stock size and turnover

Units held by RPs	PRPs				LARPs			
	No. of RPs	Social housing stock owned	% of total stock	Turnover ²¹ (£m)	No. of RPs	Social housing stock owned	% of total stock	Turnover (£m)
<250	831	43,403	1.0%	231	35	1,115	0.0%	6
<1,000	973	112,963	2.5%	602	38	2,101	0.0%	11
> 1,000	207	2,753,086	62.1%	22,830	163	1,567,883	35.3%	8,355
Total	1,180	2,866,049	64.6%	23,432	201	1,569,984	35.4%	8,366

Costs and benefits overview

24. The costs and benefits of policy option 2 are expressed relative to option 1 ‘do nothing.’ The main groups affected by the policy options are:

- PRPs and LARPs
- Social housing tenants.

25. It is not possible to robustly monetise the benefits due to the difficulty in trying to proportionately estimate the social value generated by the consumer standards. For example, due to the lack of robust data and evidence, and difficulty in identifying causality of single measures from the White Paper proposals. In addition, this impact assessment does not assess or monetise our regulatory approach and we consider it disproportionate to assess the divergence in landlords’ approaches to comply with the standards. The regulator has therefore focused on the general qualitative benefits of the new consumer standards, including the economic rationale (generally, this identifies market failures and how the standards can alleviate these).

26. To monetise the option, we have considered three categories of costs that registered providers would be likely to incur because of the revised consumer standard requirements:

- Reading and understanding: how long it takes the required staff to read through and understand the consumer standards and Code of Practice.

²¹ Turnover is imputed for providers with fewer than 1,000 units using number of social units and average general needs rent for 2022 (2022 SDR and LADR). For PRPs with more than 1,000 units data is taken from the 2022 Global accounts of registered providers. For LARPs with more than 1,000 units data is taken from the 2022 Local Authority revenue expenditure and financing England: 2020 to 2021 individual local authority data. Per unit imputed turnover for LARPs is lower than reported turnover for large PRPs since the later includes significant non-rental activities (for example market sales).

- ii. Dissemination: how long it takes those staff to write a written briefing and answer questions on the new consumer standards and Code of Practice.
- iii. Updating organisational processes: for example, updating the mapping of standards against assurance and establishing if any policies need updating. It doesn't, however, include the actual updating of policies, given the diversity of existing practices in the sector and that these activities will be subsumed into BAU.

Costs to PRPs and LARPs

27. Where costs have been monetised, it is based on best estimates of the additional costs that the policy options are likely to result in for registered providers. This takes into account variation within the sector, for example, the different sizes and types of providers and what different providers are already doing. Costs outlined within this impact assessment are to be considered as a sector average and are not intended to be applied on an individual provider basis.

Transitional costs

28. We consider that registered providers would incur transitional costs. This would include reading and understanding the revised consumer standards and new Code of Practice, disseminating the information in these documents within the organisation, and amending organisational policies, processes and systems. Table 2 presents a detailed breakdown of the transitional costs in policy option 2. These estimates reflect the regulator's knowledge of the sector (see paragraphs 29-31 for more information on how they have been calculated).

Table 2: Detailed breakdown of average transitional costs (2021 prices)

Units	No of providers	Reading and understanding	Dissemination	Updating organisational processes	Cost per provider	Average cost per unit	Total cost (£k)	Cost as a % of turnover
		Cost	Cost	Cost				
<250	866	£39	£105	£210	£354	£6.88	£306	0.13%
<1000	1,011	£39	£120	£240	£399	£3.50	£404	0.07%
>1000	370	£123	£571	£942	£1,637	£0.14	£606	0.002%
Sector	1,381	£62	£241	£428	£731	£0.23	£1,009	0.003%

29. In total, monetised transitional costs are £1.0 million, split between reading and understanding time (£85k), dissemination (£333k) and updating organisational processes (£591k). These costs are assumed to occur within a year of the consumer standards and Code of Practice being published.
30. Absolute costs are higher for larger providers given the number of staff who will need to read the new standards and Code of Practice, and the wider number of people that may need to be briefed through dissemination. They may need to update processes in what is likely to be a more complex environment, with multiple types of stock and areas where the provider operates. This is likely to entail greater complexity in updating organisational

processes, such as additional assurance mapping focused on different existing arrangements, geographical areas, or stock types.

31. However, costs relative to turnover are higher for smaller providers. We estimate that for large providers transitional costs will be on average £1,600, or 0.002% of turnover in a single year. For small providers (<1,000 units) we estimate costs on average to be £399 or 0.07% of turnover for that single year. For the smallest providers (those with <250 units) absolute costs are lowest, but total costs are highest, with £354 per provider and 0.13% of turnover in a single year. Overall, we judge that these costs are manageable and proportionate given the need to ensure that all tenants and providers in the sector are able to achieve the benefits of the consumer standards listed in paragraph 34.

Non-monetised costs

32. Many of the costs that flow from the review of the consumer standards are difficult to monetise, particularly when considering additionality, and modelling this complexity of responses is considered to be disproportionate. Given providers are likely to have a range of existing approaches on, for example, stock knowledge, tenant data and providing information to tenants, any new consumer standard requirements are likely to lead to a wide variety of potential responses from providers. This can range from no change required, changes to an existing policy or service, or development of a new policy or service.
33. As such, the majority of the measures do not have a monetisable cost and are aimed at ensuring behavioural change in the sector (including becoming more tenant focused) or relate to ongoing additional costs beyond transitional costs. Ongoing costs may relate to:
- Having up to date information on tenants' needs and stock
 - Communicating and providing information to tenants
 - Assessing housing and neighbourhood policies including whether they are fair
 - Working with tenants to improve the delivery of landlord services
 - Maintaining health and safety assessments of homes and communal areas
 - Cooperating with local authority departments (for example in relation to managing domestic abuse)
 - Taking action in response to hate incidents.

Benefits to PRPs, LARPs and social housing tenants

34. We have considered how to monetise the benefits of the consumer standard revisions but concluded that it is not possible to do this robustly. Therefore, as well as alleviating market failures (see paragraph 12), the regulator has described qualitatively some of the benefits to registered providers and social housing tenants associated with the changes under preferred policy option 2. This is set out below.
- The strengthened requirements will drive behavioural change in the sector aimed at achieving fair access to services and equitable outcomes for tenants, including tenants with protected characteristics. Also ensuring landlords communicate appropriately with their tenants, including in relation to repairs and antisocial behaviour – our tenant engagement has indicated this is a key area of concern.

- Tenants will be able to play a meaningful role in improving the delivery of landlord services, including tenant engagement.
 - Tenants will have access to the information needed to interact with their landlord such as information on rent and service charges, safety aspects of the home and on the roles and responsibilities of senior staff.
 - Tenants will feel safer in their homes through stronger and more explicit expectations in relation to maintaining the quality of homes and safety matters.
 - Tenants requiring home adaptations will have an understanding of how they will be supported.
 - Tenants experiencing hate incidents or domestic abuse will have an understanding of the approach their landlord will take to support them.
35. The supporting Code of Practice will contribute positively to service delivery by ensuring landlords understand how they can remain compliant with consumer standards and will facilitate the regulator and tenants holding landlords to account when standards are not being met.

F. Risks and assumptions

36. As the regulator has significant experience of engagement with registered provider staff, we hold a good understanding of how providers often operate. Transitional costs are, therefore, broad and proportionate estimates based on regulatory knowledge of the sector. We have also interviewed regulator staff with experience of compliance and assurance within providers, to gain insight into how providers will usually respond to changes in the regulatory standards. There is a risk that realised transition costs could exceed the broad estimates set out. However, feasible transition costs are likely to remain small compared to sector turnover and this risk is unlikely to change the assessment of options set out.
37. There is clearly a potential risk that there could be some additional ongoing costs from these requirements. However, as set out elsewhere, we consider that it is disproportionate to seek to model such additional costs formally, since any additional impact is very difficult to disentangle from existing provider activities. This is particularly the case when setting standards which many providers may already be surpassing. While there could be some risk of additional ongoing costs, we anticipate these would generally be relatively minor (especially relative to sector turnover), hence this is unlikely to change the assessment of options set out.
38. We assume that registered providers are complying with the existing standards and have systems of assurance and reporting in place to demonstrate their compliance. Our assessment does not include any degree of providers achieving compliance against the current standards or having to create assurance mapping from first principles, as these should currently be standard activities amongst registered providers.
39. In monetising costs, we have assumed that the number of registered providers in the future remain at current levels and that PRPs and LARPs fully bear the resource implications of these changes. As the costs we have monetised are for transition, any new providers would start with the new standards as their baseline.

40. We have also assumed that registered providers absorb the costs from their existing income. Given that maximum rent increases are themselves regulated, registered providers would have limited opportunity to pass costs on to tenants. The costs derived are therefore opportunity costs, where without the revised standards providers would have been able to choose to undertake other activities with their income.

Evidence base and sources

41. We have assessed provider numbers and stock holdings based on stock information given to us by providers in 2022²².
42. Staff wages have been modelled using Annual Survey of Hours and Earnings. Transitional costs have been generated by assuming an average hourly salary for a member of staff working in regulatory compliance or a similar role of £26.19, including non-wage costs²³. This is equivalent to a gross salary of nearly £39,000.²⁴ For very small providers, the time to undertake changes may be supplied by volunteers at zero financial cost to the provider. We have used our assessment of hourly wage to achieve an estimate of the opportunity cost to the volunteer in undertaking this work.
43. It is necessary for all registered providers to have at least one person read and understand the revised standards and Code of Practice²⁵. Reading time per person has been assessed in two ways. Firstly, the Flesch reading ease score²⁶ for the revised consumer standards and Code of Practice has been assessed using Microsoft Word. This suggests an average reading speed for both documents in the range of 50-100 words per minute (wpm).²⁷ Secondly, staff working in consumer regulation within the regulator²⁸ have been asked to read the documents and present their reading times. These have shown consistently faster reading speeds than those established following the Flesch reading ease score. On this basis we have modelled reading times based on the top end of the range indicated by the Flesch reading ease score. This is considered to be the most reasonable estimate that balances the two sets of information available from the evidence.

Table 3: Reading speeds of the revised consumer standards and Code of Practice

	Revised consumer standards	Code of Practice
Words	3,582	5,179
Flesch reading ease score	19.0	27.0
Median staff reading time (mins)	12	18
Modelled reading speed (wpm)	100	100
Modelled reading time (mins)	36	52

²² SDR for PRPs on a group basis and LADR for LARPs.

²³ Based on the ASHE category of business, media and public service professionals and non-wage uplift of 22%.

²⁴ Assuming 52 working weeks and 33 days holiday (including eight Bank Holidays) - 227 working days and work of eight hours a day.

²⁵ As assessment of comparative reading time to the old standards would not be appropriate given providers will need to consider these new standards on their own and will already have a working knowledge of the existing standards.

²⁶ A tool for calculating the approximate reading level of English-language content.

²⁷ Using the tables derived from EFTEC (2013), "Evaluating the cost savings to business from revised EA guidance – method paper" shown in BEIS (2017) Business Impact Target: [Appraisal of guidance: assessments for regulator-issued guidance](#)

²⁸ These members of staff are likely to have similar skills and reading speeds to staff at providers tasked with reading the documents.

44. Larger providers will have multiple individuals working in regulatory compliance or similar roles who will need to understand these documents. We have, therefore, scaled the number of people required to read the documents based on an assessment of how many individuals will be working in relevant roles within providers of different sizes. We do not believe that every member of staff will be required to have read the consumer standards. The majority of staff are likely to receive any updates about this either through written or verbal briefings and this work will likely be subsumed into BAU activities.
45. Once this cohort of staff have read and understood the standards, they will need to disseminate this information to senior managers, Boards and relevant councillors. We have assumed that they will do this primarily electronically and that the required scale of briefing will depend broadly on provider size. We have also accounted for time on follow-up questions and requests for these staff to attend meetings with senior staff, relevant councillors, or through governance structures such as provider boards. This is also scaled based on the size of the organisation. Even within these assessments there is a strong degree of economies of scale, with the largest providers likely to have the lowest costs per unit to disseminate the information widely throughout the organisation.
46. Finally, we expect that registered providers will need to update their organisational processes, including their mapping of assurance and organisational templates. They will prepare information to give their board or governing body assurance on the new areas. Again, we assume this will largely be completed by regulatory compliance teams or similar staff, with other departments in the organisation providing information where necessary. We do not think there will be a need for software or hardware changes (such as purchasing new devices) to respond to the monetisable elements of the consumer standards and Code of Practice.
47. We have used an archetype model to assess costs to registered providers. These are broad averages intended to capture likely time taken at the sector level. For a provider with 10,000 units, on average we consider:
- Four members of staff would need to read and understand the revised standards and Code of Practice.²⁹ This would be the team that undertakes engagement with the regulator and preparation of assurance documents, including for their immediate manager. For a 1,000 unit provider, we think this is two people and for the largest providers (>100,000 units), we think this is seven people.
 - Thirty-two hours of staff time³⁰ in total would be required to draft a briefing and disseminate this information, including to more senior staff and to board members, or relevant councillors (in regular meetings). This is 16 hours for providers with 1,000 units and 40 hours for the largest providers.
 - Forty hours of staff time would be required to update organisational processes such as assurance mapping. For providers with 1,000 units, we think 32 hours will be necessary to achieve this and 80 hours for the largest providers, given their likely complexity.

G. Small and micro business assessment

²⁹ Whilst more employees are likely to take a significant interest in the standards, they may not be required to read and understand them fully. Such staff may receive the same information through the dissemination work listed separately.

³⁰ This could, for example, be one person working for 32 hours, or two people working for 16 hours each.

48. All registered providers are expected to comply with the consumer standards, irrespective of their size or the type of landlord. The regulator has specifically considered the impact of our proposals on small and micro businesses. According to Government guidance, micro and small businesses are those with fewer than 10 and 50 full-time employees respectively – only PRPs are classed as businesses³¹. For the purposes of this assessment, the regulator has used 250 homes as the upper limit of a micro provider and 1,000 homes for a small PRP³².
49. As indicated earlier, the assessed costs are higher for micro and small businesses compared to larger businesses. Since the vast majority of small providers are PRPs (rather than LARPs), the impact on micro and small businesses is almost the same as the sector level (shown in table 2). The average cost of 0.13% of turnover for micro providers and 0.07% for small providers in a single year is considered to be manageable and proportionate impact given the policy objectives of the revised consumer standards.

H. Preferred option with implementation plan

50. Our preferred policy option is policy option 2. The revised consumer standards will come into effect from April 2024. The regulator intends to issue a Code of Practice alongside the publication of the standards to amplify the expectations as required i.e. where it is appropriate to explain and elaborate on the requirements in the consumer standards. This will help registered providers understand what the regulator is looking for when seeking assurance on compliance with the standards. The regulator has a range of monitoring and enforcement powers to enable it to seek assurance from providers that the standards are being met and to enforce the standards when necessary, although this does not form part of this impact assessment.

I. Monitoring and evaluation

51. Whilst there are no timetabled plans to carry out a review of the consumer standards and Code of Practice, the regulator will continue to keep the impact of our revised consumer standards and Code of Practice under review and publish these findings periodically. Our approach will be to carry out a review of the relevant standard or the Code of Practice if a need to do so arises. However, the revised standards are being introduced as part of wider changes to implement the proactive consumer regulation regime, which are excluded from this impact assessment.

³¹ Costs incurred by LARPs are not classed as costs to business.

³² This is consistent with the regulatory impact assessment for the TSM and is based on data about the number of FTEs for providers with 1,000 or more homes only. This data indicates that the median general needs provider has 27.6 homes per FTE and, rounding to conventional thresholds, it has been used to generate broad estimates of numbers of small and micro businesses for the purposes of this assessment.



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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.



Annex 4

Consumer standards – Equality impact assessment

Part 1: Introduction and scoping

1.1 Summary and scope

Policy overview

The consumer standards set out our regulatory requirements that registered providers must meet. We set these in line with our revised objectives, which have been expanded by the Social Housing (Regulation) Act 2023 (the Act) to include safety, transparency, and energy efficiency.

The Social Housing White Paper, (the White Paper) set out the government’s intention to create a proactive consumer regulatory regime. The Act implements the regulatory measures in the White Paper. Following extensive engagement with tenants, landlords and other stakeholders, we intend to introduce a revised set of consumer standards. As part of our work to develop draft new consumer standards, we have considered how our existing consumer standards could be revised and strengthened to deliver a set of standards that are robust, up to date and fit for purpose. In doing so we have sought to meet commitments set out in the White Paper, deliver on our expanded objectives, and address issues impacting the social housing sector that are within our remit.

In developing the proposed consumer standards, we have been guided by the three tests we have set ourselves for developing our approach to consumer regulation:

- It must make a meaningful difference to tenants.
- Landlords must be able to deliver its expectations.
- We must be able to regulate against it.

In developing the standards, we have been mindful of:

- our statutory duty to exercise our functions in a way that minimises interference and (so far as is possible) is proportionate, consistent, transparent, and accountable (section 92K(5) of the Housing and Regeneration Act 2008)
- the Government's Regulators' Code
- our statutory duty, in setting consumer standards, to have regard to the desirability of registered providers being free to choose how to provide services and conduct business (section 193(3) of the Housing and Regeneration Act 2008).

We have also been mindful of our duty to comply with the Public Sector Equality Duty (PSED) as set out at section 149 of the Equality Act 2010. The broad aim of PSED (also known as the general equality duty) is to integrate considerations of equality and good relations into the day-to-day business of public authorities, so that when exercising their functions, they have due regard to the need to:

- eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equality Act 2010
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- foster good relations between people who share a relevant protected characteristic and those who do not.

The general equality duty covers the following protected characteristics: age (including children and young people), disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Marriage or civil partnership is also a protected characteristic under the Equality Act 2010, although this is only relevant to the first aim of the general equality duty (eliminating discrimination etc.)

Scope of the Equality impact assessment

This Equality impact assessment (EQIA) has continuously shaped our thinking as we have developed the requirements in our proposed standards. We have considered the impacts (positive, negative, neutral and none) of the proposed requirements on tenants who share different protected characteristics and will continue to do so.

The Act has given the regulator the power to issue a Code of Practice on the consumer standards, to help tenants and landlords understand how compliance with the new standards might be achieved. We are publishing a draft Code of Practice alongside the revised consumer standards, and its contents have also been shaped by this assessment.

The consumer standards include areas where we are directed by government. The wording of the directions has been reproduced in the standards. Where this is the case, we have not assessed the equality impacts of those requirements as they are fixed. This EQIA does not include an assessment of our revised approach to regulation.

Our intention is that the diversity requirements in the revised consumer standards will act as a driver for change, by influencing the sector to better understand their tenant base, including in relation to the protected characteristics, which may provide a better baseline of evidence in the future.

1.2 Who are the main stakeholders that may be affected by these proposals?

<input checked="" type="checkbox"/>	<i>RSH colleagues</i>	<input checked="" type="checkbox"/>	<i>Tenants</i>	<input type="checkbox"/>	<i>Communities</i>	<input checked="" type="checkbox"/>	<i>Registered providers</i>
<input type="checkbox"/>	<i>Sector organisations</i>	(Please specify)					

1.3 Could the proposal(s) have a cumulative impact on people who share more than one protected characteristic?

The analysis of potential impacts in section 3 reflects areas where evidence shows cumulative impacts where protected characteristics intersect.

1.4 Do the proposals relate to RSH’s equality objectives?

Our current equality objectives are to:

1. ensure that where equality and diversity concerns are raised through our enquiries process, they are considered in line with our statutory objectives
2. review our methods of communicating to ensure that we do so in an inclusive way
3. provide a supportive and inclusive working environment for all.

The proposed standards are most relevant to objective two. We will need to consider how to ensure that our communication methods to promote the new consumer standards are inclusive.

We have recently consulted on a revised set of equality objectives:

1. We will encourage the sector to better understand the diversity of the communities that they serve and that measures are in place to promote equity in relation to their service delivery.
2. We will be respectful and inclusive in our engagement and communication.
3. We will provide a supportive and inclusive working environment for all.

Proposed equality objective one relates closely to specific expectation 2.1.1 in the proposed Transparency, Influence and Accountability Standard.

Part 2: Information gathering

Summarise below what existing data/ evidence you have used to undertake the assessment. Are there any gaps in evidence and if so, how do you plan to collect this as the process develops?

2.1 Existing data/ evidence

A range of information taken from open-source research, data and evidence has been considered as part of this assessment, influencing the proposed requirements so the consumer standards support us in considering our PSED, as well as helping to assess where any potential mitigation may be required. To avoid duplication, rather than set out the evidence in this section, we have referenced it in section 3 below.

DLUHC's recently published English Housing Survey 2021/22 data has not been considered as part of this assessment. This information will be considered before the final Equality impact assessment is published.

With regard to English Housing Survey data referenced in this document, please note that, in response to the COVID pandemic, internal inspections of properties for the English Housing Survey were suspended for a period of time. This may impact housing quality data from the 2020-2021 and 2021-2022 fieldwork periods. Further information on the impact of COVID on the English Housing Survey can be found here:

<https://www.gov.uk/government/publications/english-housing-survey-quality-report> .

2.2 Data gaps

We did not find any statistical data about the following in relation to social housing tenants:

- the number of social housing tenants who are married or in a civil partnership or their specific experiences of social housing
- the specific experiences of social housing tenants from different religious groups. We found data on anti-social behaviour (ASB) and hate crime victims broken down by religion which helped to inform this assessment
- the number of social housing tenants who are pregnant or who have recently had a baby or their specific experience of social housing.

We have not attempted to fill these information gaps ourselves, due to the time and resources it would demand. Where new equality data becomes available that may be relevant to the consumer standards, including in relation to the identified gaps, we will consider reviewing the EQIA.

Part 3: Assessing the impact

This is our assessment of the potential equality impact of the proposed consumer standards.

We have rigorously considered equality considerations and relevant evidence throughout the development of the proposed consumer standards. Where we have identified aspects of the current standards that might benefit from being strengthened or amended to address any potential negative equality impact, or where we have identified an opportunity to create a positive equality impact through our proposed standards, we have taken the opportunity to do so. Because of this approach, we have not identified any potential negative equality impact at this point.

Safety and Quality: Stock quality

Potential impact on different protected characteristics

Age X	Disability X	Gender reassignment	Pregnancy and maternity	Race
Religion or belief	Sex	Sexual orientation	Marriage and civil partnership	

There is insufficient evidence of any impact on the other protected groups.

Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral
<p>Required outcome Registered providers must have an accurate, up to date and evidenced understanding of the condition of their homes that reliably informs their provision of good quality, well maintained and safe homes for tenants.</p> <p>Specific expectations 2.1.1 Registered providers must have an accurate record at an individual property level of the condition of their stock, based on a physical assessment of all homes and keep this up to date.</p> <p>2.1.2 Registered providers must use data from across their records on stock condition to inform their provision of good quality, well maintained and safe homes for tenants including:</p>	<p>What the evidence tells us</p> <ul style="list-style-type: none"> Poor quality, hazardous accommodation can contribute to reduced mobility, social isolation, and depression for older people.¹ Social renters in one person households or couples with no children were more likely to live in a non-decent home than lone parents with either independent children only or dependent children.² Social renters were no more likely to live in a non-decent home if the household reference person (HRP)³ was white or was from an ethnic minority background.⁴ Asset management databases were not always kept up to date. 26 per cent of housing association (HA) survey respondents said that adapted properties were not clearly identified within asset management databases.⁵ Levelling Up, Housing and Communities Committee's inquiry into social housing regulation heard evidence about the quality of social housing, which included examples of poor quality homes, disrepair and damp and mould.⁶ 10 per cent of households with a member with a long-term illness or disability live in a non-decent home compared to 13 per cent with none.⁷ Analysis of English Housing Survey (EHS) data by the Social Market Foundation forecasts a 25 per cent increase in social housing tenants over 65 years and with a long-term illness or disability living in non-decent homes between 2021 and 2031.⁸ 5 per cent of social rented homes had a problem with damp, at 198,000 households. This is a higher proportion than owner occupied homes (2 per cent or 335,000 households), but lower than private rented homes (10 per cent or 409,000 households).⁹ 10 per cent of dwellings in the social rented sector failed to meet the Decent Homes Standard. This is lower than the proportion of private rented (23 per cent) and all owner occupied (13 per cent) homes (970,000 and 2.1 million homes respectively).¹⁰ <p>Our proposed requirements We consider that PSED aim two is relevant to this requirement.</p> <p>Registered providers having a better understanding of their homes may help to improve the condition of social housing, which may have a positive impact on older and disabled tenants, who are more likely to be impacted by poor quality housing.</p>

¹ Communities and Local Government Committee [5 February 2018]. Housing for older people. [\[Online\]](#)

² Department for Levelling Up, Housing & Communities. English Housing Survey, Social rented sector, 2020-21. [\[Online\]](#)

³ A "household reference person" is defined by English Housing Survey as the person in whose name the dwelling is owned or rented or who is otherwise responsible for the accommodation. In the case of joint owners and tenants, the person with the highest income is taken as the HRP. Where incomes are equal, the older is taken as the HRP. This procedure increases the likelihood that the HRP better characterises the household's social and economic position.

⁴ Department for Levelling Up, Housing & Communities. English Housing Survey Social rented sector, 2020-21. [\[Online\]](#)

⁵ Foundations. [March 2022] Housing associations and home adaptations: Finding ways to say yes. [\[Online\]](#)

⁶ Levelling Up, Housing and Communities Committee. [13 July 2022] The Regulation of Social Housing. [\[Online\]](#)

⁷ Department for Levelling Up, Housing & Communities. English Housing Survey, Social rented sector, 2020-21. [\[Online\]](#)

⁸ APPG Housing and care for older people. [July 2019]. Rental housing for an ageing population. [\[Online\]](#)

⁹ Department for Levelling Up, Housing & Communities. English Housing Survey, Social rented sector, 2020-21. [\[Online\]](#)

¹⁰ Department for Levelling Up, Housing & Communities. [15 December 2022]. English Housing Survey 2021 to 2022: headline report. [\[Online\]](#)

<ul style="list-style-type: none"> a) Compliance with health and safety legal requirements b) Compliance with the Decent Homes Standard c) Delivery of repairs, maintenance, and planned improvements to stock d) Allocating homes with adaptations appropriately. 	<p>We have taken the opportunity to make it clear in the draft Code of Practice that providers should use information in addition to that about stock condition to ensure they have a rounded view which includes the needs of individual tenants living in those homes.</p> <p>Overall assessment</p> <p>Overall, for the reasons stated above, we believe our requirements relating to stock quality may have a positive impact on tenants who share the protected characteristics age and disability.</p>
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Safety and Quality: Decency				
Potential impact on different protected characteristics				
Age	Disability	Gender reassignment	Pregnancy and maternity	Race
Religion or belief	Sex	Sexual orientation	Marriage and civil partnership	
There is insufficient evidence of any impact on protected groups.				
Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral			
<p>We have only assessed the proposed changes to the current standard as we are directed on the required outcome.</p> <p>Required outcome Registered providers must ensure that tenants' homes meet the standard set out in section five of the Government's Decent Homes Guidance and continue to maintain their homes to at least this standard unless exempted by the regulator.</p> <p>Specific expectations None</p>	<p>What the evidence tells us</p> <p>In 2021/22, 10 per cent of dwellings in the social rented sector failed to meet the Decent Homes Standard (DHS), down from 11 per cent in the previous year's survey. This equates to around 400,000 homes. The proportion of non-decent homes in the social rented sector is lower than in the private rented sector (23 per cent), and amongst owner occupied dwellings (13 per cent).</p> <p>Predictive modelled data indicated that:</p> <ul style="list-style-type: none"> • 4 per cent of dwellings in the social rented sector had a category 1 hazard under the HHSRS, compared to 14 per cent in the private rented sector and 10 per cent amongst owner occupied dwellings • 4 per cent of dwellings in the social rented sector had a significant degree of damp, compared to 11 per cent in the private rented sector and 2 per cent amongst owner occupied dwellings. <p>The 2021/22 EHS SAP¹¹ data showed that dwellings in the social rented sector had the highest mean SAP rating of the tenures with housing associations and local authorities both at 70, which means that social rented properties were more energy efficient than owner occupied properties (averaged a lower rating of 66) and private rented properties (rating of 65).¹²</p> <p>Ethnicity Facts and Figures from 2017/19 (nothing more recently available) showed variations between households from different ethnic groups living in non-decent homes:</p> <ul style="list-style-type: none"> • 17 per cent of households in total in England lived in a non-decent home. • 18 per cent of white British households lived in a non-decent home. • The highest proportions from specific ethnic groups living in non-decent homes were mixed white/black African 33 per cent, Bangladeshi 24 per cent, and black Caribbean 20 per cent. <p>The same source showed differential rates amongst households living with damp, as follows:</p> <ul style="list-style-type: none"> • Damp in at least one room of the home appears to be more prevalent amongst certain ethnic minority groups – 3 per cent of households in England in total. • White British households 3 per cent, mixed white and black Caribbean 13 per cent, Bangladeshi 10 per cent, black African 9 per cent, and Pakistani 8 per cent. • Although households from Mixed white and black African (11 per cent) and black other (10 per cent) backgrounds were also more likely than white British households to have damp, findings for these groups are based on a small number of households and may not be reliable. <p>(From People without decent homes - GOV.UK Ethnicity facts and figures)</p> <p>Overall, 10 per cent of social renter households containing a member with a long-term illness or disability were living in a non-decent home in 2020/21, a lower proportion than those with no member with a long-term illness or disability (13 per cent)¹³.</p> <p>The Institute of Health Equity's 2011 Marmot Review¹⁴ found that the established link between housing and health has implications for children. Significant negative effects of cold housing are evident in terms of infants' weight gain, hospital admission rates, developmental status, and the severity and frequency of asthmatic symptoms and impacts on the mental health of adolescents.</p> <p>Our proposed requirements We consider that PSED aims two and three are relevant to these requirements.</p> <p>We have simplified some remaining elements in our current Home Standard to avoid repetition with requirements in the Decent Homes guidance and in line with our approach to regulation. We have removed the requirement 1.1.b to meet the standards of design and quality that applied when the home was built and were required as a condition of publicly funded financial assistance if these standards are higher than the DHS.</p>			

¹¹ The Government's Standard Assessment Procedure (SAP) is used to monitor the energy efficiency of homes. It is an index based on calculating annual space and water heating costs for a standard heating regime and is expressed on a scale of 1 (highly inefficient) to 100 (highly efficient, with 100 representing zero energy costs).

¹² Department for Levelling Up, Housing & Communities. [15 December 2022]. English Housing Survey 2021 to 2022: headline report. [\[Online\]](#)

¹³ [English Housing Survey, 2020 to 2021: social rented sector](#)

¹⁴ [Marmot 2011 review of health impacts of cold homes and fuel poverty](#)

We have also removed the requirement 1.1.c that in agreeing a local offer, providers should ensure that it is set at a level not less than DHS. The former will already be covered under contractual requirements, and we feel that the latter requirement is unnecessary as the requirement is that all homes must be maintained to DHS standard, and we have removed reference in the standards to local offers.

We considered whether removing the stipulation to meet design standards at the time the housing was built could lead to a reduction in accessible housing, where homes designed for disabled and older tenants are not maintained to appropriate standards, resulting in a negative equality impact for disabled and older tenants. However, where standards have been agreed over and above the DHS as part of funding agreements, including in relation to accessibility, registered providers in receipt of that funding will be contractually obliged to continue to meet those standards for a set period or in perpetuity in line with those contracts; therefore, we think that removal of this requirement is highly unlikely to result in a reduction of accessible housing.

Overall assessment

Taking the above into account, we consider that this requirement is likely to have a neutral equality impact on tenants who share different protected characteristics.

Safety and Quality: Health and safety				
Potential impact on different protected characteristics				
Age X	Disability X	Gender reassignment	Pregnancy and maternity	Race X
Religion or belief	Sex	Sexual orientation	Marriage and civil partnership	
There is insufficient evidence of any impact on the other protected groups.				
Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral			
<p>Required outcome When acting as landlords, registered providers must take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.</p> <p>Specific expectations 2.2.1 Registered providers must identify and meet all legal requirements that relate to the health and safety of tenants in their homes and communal areas.</p> <p>2.2.2 Registered providers must ensure that all required actions arising from legally required health and safety assessments are carried out within appropriate timescales.</p> <p>2.2.3 Registered providers must ensure that the safety of tenants is considered in the design and delivery of landlord services and take reasonable steps to mitigate any identified risks to tenants.</p>	<p>What the evidence tells us</p> <ul style="list-style-type: none"> • Social renters¹⁵ were no more likely to live in a non-decent home if the HRP was white or was from an ethnic minority background. • Overall, 10 per cent of social renter households containing a member with a long-term illness or disability were living in a non-decent home. This was a lower proportion than those with no member with a long-term illness or disability (13 per cent). • 5 per cent of social rented homes had at least one category 1 hazard, a lower proportion than both owner occupied (9 per cent) and private rented homes (13 per cent). • Within the social rented sector, dwellings rented from local authorities were more likely to have a Category 1 hazard (6 per cent) than dwellings rented from housing associations (4 per cent).¹⁶ • Poor quality, hazardous accommodation can contribute to reduced mobility, social isolation, and depression for older people.¹⁷ • Renters were more likely to feel unsafe at home (8 per cent for both private and social renters) than owner occupiers (4 per cent). Those from an ethnic minority background were more concerned than those from a white background (13 per cent compared to 5 per cent)¹⁸. • In both 2020 and 2010 local authority owned homes were more likely to have category 1 hazards than those owned by HAs (6 per cent and 4 per cent respectively in 2020)¹⁹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1088447/EHS_Housing_quality_and_condition_report_2020.pdf • The main types of older people's accommodation contain some form of communal area²⁰. <p>Our proposed requirements Based on the evidence, tenants within the sector who may be positively impacted by requirements relating to health and safety are those who share the protected characteristics of age, disability, and race. We consider that PSED aim two is relevant to these requirements.</p> <p>The new requirements set a more explicit expectation for registered providers to meet their legal health and safety requirements in respect of communal areas, which have expanded with recent legislation e.g., the Fire Safety Act 2021 and Building Safety Act 2022, which may lead to a greater focus by providers on tenant safety.</p> <p>Requiring providers to consider the safety of communal areas may result in safer communal areas, which may have a positive impact on tenants who share the protected characteristic(s) age and disability. This is because individuals who share those protected characteristics are likely to have different (possibly additional) needs regarding the safety of communal areas compared to those who do not share these protected characteristics.</p> <p>Ensuring that registered providers carry out the actions from health and safety assessments in a timely manner may have a positive impact on tenants who are more at risk of a safety failure as a result of non-compliance because of their protected characteristic, namely age; older people and children and disabled people.</p> <p>2.2.3 requires registered providers to ensure the safety of tenants in the design and delivery of landlord services. We have taken the opportunity in the draft Code of Practice to exemplify actions that providers may take to ensure the wider safety of tenants; responding promptly and effectively to reports of ASB, including where the victim is vulnerable, and taking into account individual tenants' safety, security, and health when prioritising repairs.</p> <p>Overall assessment For the reasons stated, we believe that our requirements relating to health and safety may have a positive impact on tenants who share the protected characteristics age, disability, and race.</p>			

¹⁵ This category includes households renting from Local Authorities (including Arms' Length Management Organisations (ALMOs) and Housing Action Trusts) and Housing Associations, Local Housing Companies, co-operatives, and charitable trusts.

¹⁶ [English Housing Survey: Social rented sector, 2020-21 \(publishing.service.gov.uk\)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1088447/EHS_Housing_quality_and_condition_report_2020.pdf)

¹⁷ [Housing for Older People 2017-2019 CLG Inquiry](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1088447/EHS_Housing_quality_and_condition_report_2020.pdf)

¹⁸ [English Housing Survey, 2020 to 2021: feeling safe from fire - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1088447/EHS_Housing_quality_and_condition_report_2020.pdf)

¹⁹ [English Housing Survey: Housing quality and condition, 2020 \(publishing.service.gov.uk\)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1088447/EHS_Housing_quality_and_condition_report_2020.pdf)

²⁰ [Government guidance on Housing for older and disabled people, 2019](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1088447/EHS_Housing_quality_and_condition_report_2020.pdf)

Safety and Quality: Repairs, maintenance and planned improvements

Potential impact on different protected characteristics

Age X	Disability X	Gender reassignment	Pregnancy and maternity	Race X
Religion or belief	Sex	Sexual orientation	Marriage and civil partnership	

There is insufficient evidence of any impact on the other protected groups.

Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral
<p>Required outcome Registered providers must provide an effective, efficient, and timely repairs, maintenance and planned improvements service for the homes and communal areas for which they are responsible.</p> <p>Specific expectations 2.3.1 Registered providers must enable repairs and maintenance issues to be reported easily</p> <p>2.3.2 Registered providers must set timescales for the completion of repairs, maintenance, and planned improvements, clearly communicate them to tenants and take appropriate steps to deliver to them</p> <p>2.3.3 Registered providers must keep tenants informed about repairs, maintenance, and planned improvements to their homes with clear and timely communication.</p>	<p>What the evidence tells us See evidence above under Decency relating to households from some minority ethnic groups being more likely to live in non-decent accommodation. There is a clear link between housing which is not compliant with the DHS, and the quality of the landlord's service on repairs, maintenance and planned improvements.</p> <ul style="list-style-type: none"> The EHS 2020/21 shows that 49 per cent of the households in social rented housing that had dependent children were lone parent households (compared to 34 per cent in the private rented sector, and 12 per cent in owner-occupation). With 90 per cent of lone parent households led by women, how flexible and timely repairs services are, can be of significant impact to women²¹. Evidence to the Levelling Up Housing and Communities Committee Inquiry on the Regulation of Social Housing from the Merton Centre for Independent Living and Action Disability Training and Consulting showed that having no control over when contractors are coming can create difficulties for disabled tenants who need to manage their routines and energy carefully.²² The main types of older peoples' accommodation contain some form of communal area²³. <p>Satisfaction with repairs and maintenance is lower among social renters (66 per cent) than private renters (75 per cent). The most common reasons for dissatisfaction with repairs and maintenance among social renters are the landlord being slow to complete repairs (29 per cent), the landlord not bothering to do the repairs (26 per cent), and the work being of poor quality (17 per cent)²⁴.</p> <p>Our proposed requirements Based on the evidence above, tenants who may be impacted by these requirements are those who share the protected characteristics of race, age, disability, and sex. We consider that PSED aim two is relevant to these requirements.</p> <p>We think that the following help to make our requirements more tenant and outcomes focused, which may have a positive impact on tenants who share the protected characteristics of race, disability, and age:</p> <ul style="list-style-type: none"> Requiring providers to ensure repairs and maintenance issues can be reported easily may have a positive impact on tenants who experience communication barriers due to a disability or whose first language is not English. Requiring providers to keep tenants informed about repairs, maintenance and planned improvements may have a positive impact on tenants who experience communication barriers due to a disability or whose first language is not English. From our engagement with tenants, we have heard that good communication with them about the progress of repairs is a priority. Replacing the 'right first time' repairs objective with requirements to set and meet timescales and clearly communicate them to tenants. We understand from our stakeholder engagement that 'right first time' is measured and defined in different ways by registered providers and so does not provide a consistent performance target for services to tenants. Instead, we are proposing that landlords set timescales for repairs, which should provide registered providers with flexibility to meet tenants' different needs. This flexibility may have a positive impact on older tenants, those with young children and disabled tenants, with greater transparency on timescales so that tenants can hold landlords to account on delivery. Requiring providers to understand and fulfil their maintenance responsibilities in respect of communal areas may have a positive impact on older and disabled tenants, as most designed or adapted accommodation for people who share these protected characteristics has communal areas. This may help to ensure communal areas are accessible and safe to use both in terms of accessing and leaving the home as well as making use of communal areas. This may help to minimise the disadvantage disrepair or poor quality of communal areas could otherwise cause, particularly to tenants with reduced mobility.

²¹ [2020-21 EHS Headline Report Section 1 Households Annex Tables revised.ods \(live.com\)](#)

²² [The Regulation of Social Housing – Written evidence – Committees – UK Parliament](#)

²³ [Government guidance on Housing for older and disabled people, 2019](#)

²⁴ [English Housing Survey: Social rented sector, 2020-21 \(publishing.service.gov.uk\)](#)

<p>2.3.4 Registered providers must understand and fulfil their maintenance responsibilities in respect of communal areas.</p> <p>2.3.5 Registered providers must ensure that the delivery of repairs, maintenance and planned improvements to homes and communal areas is informed by the needs of tenants and provides value for money, in addition to the requirement at 2.1.2.</p>	<p>Removing the specific reference in the current Home Standard to <i>offering choices to tenants</i> is likely to have a neutral equality impact. This is because we are requiring providers to ensure that the delivery of repairs, maintenance and planned improvements to homes and communal areas is informed by the needs of tenants, which may have a positive impact on all tenants. In the Transparency, Influence and Accountability Standard, we require providers, working with tenants, to regularly consider ways to improve and tailor their approach to delivering landlord services.</p> <p>Elsewhere in the standards, we are strengthening requirements for registered providers to ensure that their services provide equitable outcomes for all tenants; and to meet the diverse needs of tenants in all their activities. This overall strengthening may provide an incentive for registered providers to address discrepancies in experiences and outcomes from repairs, maintenance and planned improvements services for tenants who share certain protected characteristics.</p> <p>We have removed reference to adaptations in relation to repairs, maintenance and planned improvements but we have set a separate requirement on adaptations under the Safety and Quality Standard. This may have a positive equality impact, as it makes adaptations more of a focus of our requirements.</p> <p>We have taken the opportunity in the draft Code of Practice to emphasise that providers' policies, procedures, and processes on this area should take into account tenant views and diverse needs, which may include, for example, increasing the priority of repairs for some older and disabled tenants, and installing extra locks and security lights for tenants experiencing domestic abuse, in order to safeguard them.</p> <p>Overall assessment Taking the above into account, we consider that the proposed requirements may have a positive impact on tenants who share the protected characteristics race, disability, and age</p>
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Safety and Quality: Adaptations				
Potential impact on different protected characteristics				
Age X	Disability X	Gender reassignment	Pregnancy and maternity	Race X
Religion or belief	Sex	Sexual orientation	Marriage and civil partnership	
There is insufficient evidence on the impact of the requirement on the other protected groups				
Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral			
<p>Required outcome Registered providers must assist tenants seeking housing adaptations to access appropriate services.</p> <p>Specific expectations 2.4.1 Registered providers must clearly communicate to tenants and relevant organisations how they will assist tenants seeking housing adaptations services.</p> <p>2.4.2 Registered providers must co-operate with tenants, appropriate local authority departments and other relevant organisations</p>	<p>What the evidence tells us</p> <ul style="list-style-type: none"> • 40 per cent of social housing tenants are disabled, significantly higher than the national average (22 per cent).²⁵ • 56 per cent housing association tenants who have a long-standing physical or mental health condition lack the adaptations they need. • 25 per cent of LA tenants and 21 per cent of HA tenants that required adaptations said their home was unsuitable for their needs. • The most common group in the social rented sector were households with a HRP aged 65 or over (26 per cent)²⁶. • Disabled people can experience serious deterioration in their mental wellbeing due to living in unsuitable accommodation, but adaptations help to restore dignity and greater independence and help to reduce depressive symptoms. • Working age disabled people with an unmet need for accessible housing are four times more likely to be either unemployed or not seeking work compared to those with no unmet need. • Home adaptations can make a significant difference to the pressures facing households with disabled children where their circumstances are exacerbated by low incomes, isolation, and lack of support lead to high levels of family breakdown. • Ethnic minority households appear to have fewer adaptations than white households and are twice as likely to have no adaptations at all, even with evidence of higher levels of limiting long-term illness in ethnic minority households²⁷. • Accessing appropriate and timely adaptations can reduce the risk of emergency admission to hospital, speed up hospital discharge, improve independence and reduce the need for physical assistance for older people.²⁸ • Strong engagement and communication between LAs and private registered providers are important for successful coordination and delivery of adaptations to ensure the best outcome for tenants.²⁹ • While residents reported finding it easier to have adaptations installed in social housing than other tenures <i>“the process ... was described as lengthy, and participants often struggled to get the changes they needed”</i>.³⁰ <p>Government’s ambition is to give more people the choice to live independently and healthily in their own homes for longer.³¹</p>			

²⁵ <https://www.ons.gov.uk/census>

²⁶ [EHS, Home Adaptations, 2019/20](#)

²⁷ [Foundations \(2022\)](#)

²⁸ [Care and Repair report 2021](#)

²⁹ [Guidance for LAs on DFG delivery from DLUHC and DHSC \(2022\)](#)

³⁰ [Equality & Human Rights Commission](#)

³¹ [DFG Guidance for LA, DLUHC/DHSC, 2022](#)

<p>so that a housing adaptations service is provided to tenants.</p>	<p>Our proposed requirements Based on the evidence, tenants within the sector who may be impacted by housing adaptation services are those who share the protected characteristics of age, disability, and race. We consider that PSED aims one and two are relevant to this requirement.</p> <p>We are increasing our expectations of registered providers in relation to housing adaptations, by requiring registered providers to assist tenants seeking housing adaptations to access appropriate services. Our requirements may improve access to adaptations services, particularly for older tenants and those who are physically disabled, which in turn may improve the accessibility of homes and areas around the home for tenants who need adaptations, allowing them to remain in their homes independently for longer.</p> <p>Improving accessibility to and from the home may help to improve access to opportunities for disabled and older people to participate in public life, where the lack of adaptations may have created a barrier to such participation and the enjoyment of their home.</p> <p>Requiring registered providers to be clear about the type of assistance they can provide to tenants seeking housing adaptations may help to raise tenants' awareness and reduce barriers to the adaptations process for tenants who need a housing adaptation, particularly for older and disabled people and tenants from ethnic minority groups (who may currently experience difficulties accessing such services) when compared to individuals who do not share those protected characteristics. While this requirement does not guarantee that a tenant will be supplied with the adaptation they need, it seeks to lessen the barriers to accessing help and assistance that some tenants may experience.</p> <p>Requiring registered providers to co-operate with LAs so that adaptations can be provided to those in need of them may help to reduce barriers for tenants when accessing adaptations and having the works completed via the LA. We make it clear in the draft Code of Practice that providers should not unreasonably withhold permission for agencies to install adaptations in their homes, nor should they unreasonably refuse to install an adaptation in their home where they provide that service directly.</p> <p>Overall assessment For the reasons given, we believe that our requirements relating to housing adaptations may have a positive impact on tenants who share the protected characteristics age, race, and disability.</p>
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Transparency and accountability to tenants – Fairness and respect				
Potential impact on different protected characteristics				
Age X	Disability X	Gender reassignment X	Pregnancy and maternity	Race X
Religion or belief	Sex X	Sexual orientation X	Marriage and civil partnership	
There is insufficient evidence of any impact on the other protected groups. However, it can be reasonably assumed that the requirement is relevant to all protected characteristics as the stigma that social housing tenants can face can intersect with other protected characteristics.				
Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral			
<p>Required outcome Registered providers must treat all tenants with fairness and respect.</p> <p>Specific expectations None</p>	<p>What the evidence tells us</p> <p>Research on ethnicity and social housing in 2018 found that:</p> <ul style="list-style-type: none"> 16 per cent of households with an ethnic minority HRP felt they were treated worse than other races by their landlord. This is compared to 9.5 per cent of households with a white HRP. The percentage of people who felt they were treated better than other races is broadly similar, at 4 per cent for both white and ethnic minority HRPs. 64 per cent of white social tenants agree their social landlords treat them fairly (and only 17 per cent indicate a perception of unfairness), against 53 per cent of ethnic minority social tenants agreeing with this statement, and 24 per cent believing they are treated unfairly. Perceptions of fairness vary between individual ethnic minority groups³². Results are consistently lower in households with a minority ethnic HRP than a white HRP, across a range of questions including whether the landlord's staff were friendly and helpful (65 per cent against 73 per cent); whether they trusted their landlord (55 per cent against 63 per cent); and whether the landlord's services were good overall (42 per cent against 58 per cent).³³ <p>Research on the experience of LGBT+ social housing residents³⁴ has found:</p> <ul style="list-style-type: none"> 37 per cent of survey respondents agreed that housing provider staff were always responsive to their concerns 29 per cent agreed that staff were sensitive to the needs of LGBT+ 56 per cent felt that their housing provider was approachable. <p>The researchers reported repeated examples given by participants of poor staff understanding of LGBT+ lives and, in some cases, outright discrimination.</p> <p>A 2021 survey³⁵ of 161 LGBT+ people aged 16-25 who had experienced homelessness found that:</p> <ul style="list-style-type: none"> Over half of LGBT+ young people have faced some form of discrimination or harassment while accessing housing and homelessness services. Only half (56 per cent) of LGBT+ young people who accessed housing support services while homeless were satisfied with their experience. Over a third (39 per cent) of LGBT+ young people have faced discrimination from services due to an illness, disability, or mental health condition. <p>Peer research carried out for Shelter with 34 women living in a range of different housing situations (2021) found that two-thirds of participants (23) in this small study reported poor treatment by their landlord (private or social) or accommodation provider. Participants described being spoken to rudely, being made to feel like a burden or that their problems weren't severe enough or being shown a lack of empathy or understanding³⁶.</p> <p>Evidence³⁷ to the Inquiry on Regulation of Social Housing by the Levelling up Housing and Communities Committee from the authors of the Stigma and Social Housing in England report quoted from their research findings, that the stigma related to social housing is complex and intersects with other societal stigmas such as poverty, unemployment, mental health and disabilities and race and immigration. Their research uncovered a paternalistic attitude amongst housing association staff. The research also included several examples of social housing professionals and contractors stigmatising tenants through their lack of respect when engaging with them, ignoring repair requests, ignoring ASB complaints, and using derogatory rhetoric³⁸.</p>			

³² Human City Institute Surveys (2013-17) of Weighted Data from 6,493 interviews with social tenants in England

³³ [Human City Institute](#)

³⁴ [No Place Like Home](#)

³⁵ [akt lgbtq+ youth homelessness report](#)

³⁶ [Fobbed Off, Shelter, 2021](#)

³⁷ <https://committees.parliament.uk/writtenevidence/41984/pdf/>

³⁸ [The Regulation of Social Housing LUHC Committee inquiry report](#)

Our proposed requirements

Based on the evidence above, being treated with fairness and respect by their landlords may have a positive impact on tenants who share the protected characteristics race, age, disability, sexual orientation, gender reassignment, and sex. We make it clear in the draft Code of Practice that providers should consider how they can adapt their services and communications to meet individual tenants' needs. We consider that all three PSED aims are relevant to these requirements.

By making this a standalone required outcome, we hope that providers make this a priority across all interactions with tenants.

Overall assessment

We consider that this measure may have a positive impact on tenants who share the protected characteristics race, age, disability, sexual orientation, gender reassignment, and sex.

Transparency and accountability to tenants – Diverse needs				
Potential impact on different protected characteristics				
Age X	Disability X	Gender reassignment X	Pregnancy and maternity	Race X
Religion or belief	Sex X	Sexual orientation X	Marriage and civil partnership	
There is insufficient evidence of any impact on the other protected groups.				
Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral			
<p>Required outcome Registered providers must take action to deliver fair access to, and equitable outcomes of, housing and landlord services for all tenants.</p> <p>Specific expectations 2.1.1 Registered providers must use relevant information and data to:</p> <ol style="list-style-type: none"> understand the diverse needs of tenants, including those arising from protected characteristics, language barriers, and additional support needs; and assess whether all tenants have fair access to, and equitable outcomes of, housing and landlord services. <p>2.1.2 Registered providers must ensure that communication with and information for tenants is clear, accessible, relevant, timely and</p>	<p>What the evidence tells us</p> <ul style="list-style-type: none"> As set out in evidence above under the Safety and Quality Standard and the requirement to treat tenants fairly and with respect, households from certain ethnic minority backgrounds are more likely to live in non-decent housing, and feel they are treated worse than those from other races. Black African, mixed white and black African, and black Caribbean, households are most likely to rent social housing out of all ethnic groups, and black households are over-represented in new social housing lettings^{39, 40} There is a much higher proportion of households with at least one disabled member in the social rented sector than other tenures (54 per cent compared with 37 per cent for outright owners (despite these two groups having a similar age profile) and 30 per cent for private renters)).⁴¹ 20 per cent of social renters are from an ethnic minority background compared to 15 per cent in 2011 and compared to the national average of 15 per cent⁴². 57 per cent of social housing tenants are aged 50 and over. Older tenants may require reasonable adjustments to access landlord services, live in their home and to participate in public life. Nearly a third of households in social housing comprise either a female living alone or a female single parent.⁴³ There is some research showing how women can experience barriers when accessing advice and support with their housing.⁴⁴ In 2021-22, 93 per cent of households in England had internet access at home, but social renters were the least likely out of all tenures to have this access, at 83 per cent.⁴⁵ Cross-tenure research by OFCOM in 2021 found that amongst those aged 65+, only 77 per cent used the internet at home⁴⁶. Only 35 per cent of LGBTQ+ young people who have accessed a service while homeless recall being asked by service providers to provide information about their gender identity and sexual orientation.⁴⁷ Research in 2017 on the experience of LGBTQ+ social housing residents found that 59 per cent of survey respondents had never been asked for information about their gender identity or sexual orientation by their housing provider.⁴⁸ 3% of those living in social housing identify as LGBT+⁴⁹ 0.8% of social housing residents do not identify with the sex registered at birth⁵⁰. <p>Our proposed requirements We are proposing to strengthen our requirements in this area, setting clear expectations that landlords must act to deliver fair access to, and equitable outcomes of, housing and landlord services for all tenants. The Tenant Involvement and Empowerment Standard currently expects landlords to demonstrate they understand the different needs of tenants. The proposed Transparency, Influence and Accountability Standard goes further, requiring landlords to use information and data to inform their understanding of how they will meet the different needs of tenants. The requirement makes clear that this relates to needs arising from tenants' protected characteristics, as defined in the Equality Act 2010, as well as more broadly (see 2.1.1 below). We consider that these proposed requirements may lead to registered providers doing more to collect and maintain better data about tenants and their diverse support needs, which means that they will be better able to tailor services to meet their needs.</p>			

³⁹ [New social housing lettings - GOV.UK Ethnicity facts and figures \(ethnicity-facts-figures.service.gov.uk\)](https://www.gov.uk/ethnicity-facts-figures)

⁴⁰ [English Housing Survey: Social rented sector, 2020-21 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/90444/english-housing-survey-social-rented-sector-2020-21)

⁴¹ [EHS Headline report 2021/22](https://www.ons.gov.uk/census)

⁴² <https://www.ons.gov.uk/census>

⁴³ [EHS Headline report 2021/22](https://www.ons.gov.uk/census)

⁴⁴ [Fobbed Off, Shelter, 2021](https://www.ons.gov.uk/census)

⁴⁵ [EHS Headline report 2021/22](https://www.ons.gov.uk/census)

⁴⁶ [Adult's Media Use and Attitudes report 2020/21 \(ofcom.org.uk\)](https://www.ofcom.gov.uk)

⁴⁷ [akt LGBTQ+ Youth Homelessness Report](https://www.ons.gov.uk/census)

⁴⁸ [No Place Like Home](https://www.ons.gov.uk/census)

⁴⁹ <https://www.ons.gov.uk/census>

⁵⁰ <https://www.ons.gov.uk/census>

<p>appropriate to the diverse needs of tenants.</p> <p>2.1.3 Registered providers must ensure that landlord services are accessible, and that the accessibility is publicised to tenants. This includes supporting tenants and prospective tenants to use online landlord services if required.</p> <p>2.1.4 Registered providers must allow tenants and prospective tenants to be supported by a representative or advocate in interactions about landlord services.</p>	<p>We are also proposing expectations of landlords on how they communicate with tenants (2.1.2), ensure their services are accessible including where those services are accessed online (2.1.3); and allowing tenants to be supported by advocates or other representatives (2.1.4). The aim of all these changes is to influence the social housing sector to meet the wide and varying range of tenant needs by understanding those needs and reducing barriers for tenants in accessing their landlord and its services.</p> <p>The proposed requirements support our proposed equality objective 1, which is to better understand the diversity of the communities that they serve and that measures are in place to promote equity in relation to their service delivery.</p> <p>Overall assessment</p> <p>By introducing these requirements, landlords will have to consider how they intend to meet them, which in turn may benefit tenants overall but particularly those tenants who share the protected characteristics of race, age, disability, sexual orientation, gender reassignment and sex, given the evidence demonstrates that there are some disparities for these groups. We take the opportunity in the draft Code of Practice to amplify our requirements relating to diverse needs.</p> <p>We consider that PSED aims one and two are relevant to these requirements.</p> <p>Taking the above into account, we consider that the proposed measures may have a positive impact on tenants who share the protected characteristics of race, age, disability, sexual orientation, gender reassignment and sex.</p>
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Transparency and accountability to tenants – Engagement with tenants

Potential impact on different protected characteristics				
Age X	Disability X	Gender reassignment X	Pregnancy and maternity	Race X
Religion or belief	Sex X	Sexual orientation X	Marriage and civil partnership	

There is insufficient evidence of any impact on the other protected groups.

Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral
<p>Our assessment relates to the required outcome and specific expectations 2.2.5 and 2.2.6 only.</p> <p>Required outcome Registered providers must take tenants' views into account in their decision-making about how landlord services are delivered.</p> <p>Specific expectations 2.2.5 Registered providers, working with tenants, must regularly consider ways to improve and tailor their approach to delivering landlord services including tenant engagement. They must implement changes as appropriate to ensure services deliver the intended aims.</p> <p>2.2.6. Where a registered provider is considering a change in landlord for one or more tenants, or a significant change in management arrangements, it must consult affected tenants on its proposals at a formative stage and take those views into account in reaching a decision. The consultation must:</p> <ul style="list-style-type: none"> • be fair and accessible • provide tenants with adequate time, information and opportunities to consider and respond • set out actual or potential advantages and disadvantages (including 	<p>What the evidence tells us</p> <ul style="list-style-type: none"> • In the section on Fairness and Respect we have referred to research from the Human City Institute which indicated differential levels of trust and confidence in landlords based on ethnicity. Lack of trust and feeling that you are not treated with respect are likely to act as barriers to engaging with your landlord. • We have referred in the section on Diverse Needs to research from the EHS and OFCOM which sets out potential lower rates of those having internet access at home in social housing generally, but also across all tenures amongst older households. • Research commissioned by the Local Government Association and developed with TPAS calls for providers to do more to engage with younger tenants (age is not specified). It talks about the importance of using a variety of engagement methods to promote accessibility and to ensure engagement is representative and asks providers to consider what steps they take to increase representation and target all areas of the community.⁵¹ • As part of the EHS in 2020/21, social renters with a disability were asked which areas were affected by their disability. The most common issues reported by HRPs with a disability were mobility (54 per cent, 1.2 million households), stamina (45 per cent, 1 million households), mental health (43 per cent, 950,000 households) and dexterity (35 per cent, 760,000 households). All of these are likely to affect disabled tenants' ability to engage with their landlord.⁵² • Joint research based on the views of people with a label of mild/moderate learning disability called for better opportunities for the voices of people with learning disabilities to be heard and to influence housing policy and noted that family members are often left to provide support.⁵³ • Shelter's report Fobbed Off, referred to above, discusses the importance of involving women with lived experience in the design and delivery of housing and homelessness services in order to overcome barriers women face, particularly in relation to women-specific services. • CIH's 2011 briefing on delivering housing services to LGBT+ tenants that, due to historical discrimination many LGBT+ people have been reluctant to articulate their needs or have been marginalised in consultation processes.⁵⁴ • An akt 2022 report recommended that the housing and homelessness sector should involve young people in the design of services, and commission training programmes for housing staff to raise awareness of the needs of LGBTQ+ young people who are homeless or at risk of homelessness.⁵⁵ <p>Our proposed requirements</p> <p>Our expectations on providers in this area have been increased, requiring regular and ongoing consideration of ways to improve and tailor their approach to tenant engagement, as well as all other landlord services. This may lead to tenants who are less likely to be engaged with their landlord to take part.</p> <p>The proposed requirements on resident engagement recognise that the methods used should vary to meet a range of needs and interests, as some tenants may want to engage proactively with their landlord's policies, and others may prefer to be kept informed.</p> <p>Based on the evidence above, all tenants within the sector may be positively impacted by requirements relating to tailoring of services, tenant engagement and consultation. This impact may be more positive for those who share the protected characteristics of race, age, disability, sexual orientation, gender reassignment, and sex. We consider that PSED aim two is relevant to these requirements.</p> <p>We have also clarified our expectations on landlords when considering significant changes in management arrangements. This has been done to address some of the issues we have seen in our consumer regulation case work since 2017 when the requirement currently in the existing Tenant Involvement and Empowerment Standard was first introduced. The expanded expectations should encourage more effective consultation practice that improves the ability of those who share one or more protected characteristics (where it has been shown that participation / engagement levels are low) to give their views.</p>

⁵¹ [Engaging and empowering tenants in council-owned housing](#)

⁵² [English Housing Survey: Social rented sector, 2020-21](#)

⁵³ [Supporting people with learning disabilities to rent their own place - Resource Library - Resources - Housing LIN](#)

⁵⁴ [CIH Practice Brief: Delivering housing services to lesbian, gay, bisexual and transgender customers](#)

⁵⁵ [Building inclusive housing support for LGBTQ+ people](#)

<p>costs) to tenants in the immediate and longer term</p> <ul style="list-style-type: none">• demonstrate to affected tenants how the consultation responses have been taken into account in reaching a decision.	<p>We have taken the opportunity in the draft Code of Practice to be clear that providers should take reasonable steps to ensure that all tenants have an equitable opportunity to be involved in influencing and scrutinising strategies, policies, and services, taking into account the diverse needs of tenants.</p> <p>Overall assessment</p> <p>Taking all the above into account, we consider that these requirements may have a positive impact on tenants who share the protected characteristics of race, age, disability, sexual orientation, gender reassignment, and sex.</p>
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Transparency and accountability to tenants – Information about landlord services				
Potential impact on different protected characteristics				
Age X	Disability X	Gender reassignment	Pregnancy and maternity	Race
Religion or belief	Sex X	Sexual orientation	Marriage and civil partnership	
There is insufficient evidence of any impact on the other protected groups. It is recognised that communications and the standard of service received by tenants can be influenced by stigmatisation. Research suggests that social housing stigma is complex and intersects with other issues such as poverty and immigration ⁵⁶ .				
Proposal		Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral		
<p>Required outcome Registered providers must communicate with tenants and provide information so tenants can use landlord services, understand what to expect from their landlord, and hold their landlord to account.</p> <p>Specific expectations 2.3.1. Registered providers must provide tenants with information about the:</p> <ol style="list-style-type: none"> available landlord services, how to access those services, and the standards of service tenants can expect standards of safety and quality tenants can expect homes and communal areas to meet rents and service charges that are payable by tenant responsibilities of the registered provider and the tenant for maintaining homes, communal areas, shared spaces⁵⁷ and neighbourhoods. <p>2.3.2. Registered providers must communicate with affected tenants on progress, next steps and outcomes when delivering landlord services.</p>		<p>What the evidence tells us</p> <ul style="list-style-type: none"> There is a much higher proportion of households with at least one disabled member in the social rented sector than other tenures (54 per cent compared with 37 per cent for outright owners (despite these two groups having a similar age profile) and 30 per cent for private renters)). 57 per cent of social housing tenants are aged 50 and over.⁵⁸ 2.7% of social rented households have a HRP that has little/no proficiency in the English language⁵⁹. 36% of social rented HRPs do not have any educational qualifications. Comparatively the national average is 20%⁶⁰. Women can experience barriers when accessing advice and support with their housing⁶¹. In 2021-22, 93 per cent of households in England had internet access at home, but at 83 per cent, social renters were the least likely out of all tenures to have this access⁶². Cross-tenure research by OFCOM in 2021 found that amongst those aged 65+, only 77 per cent used the internet at home⁶³. <p>Our proposed requirements We are expanding requirements on transparency, so providers must keep tenants informed of plans and progress during the delivery of services.</p> <p>To aid transparency, tenants must be able to access policies that relate to landlord services and these policies must be fair and reasonable, setting out the criteria for making decisions and processes tenants must follow should they choose to appeal a decision (2.3.3). We are proposing to add to these a further requirement for landlords to have a dedicated person responsible for complying with the consumer standards (2.3.4).</p> <p>We consider that PSED aim two is relevant to these requirements. These requirements may lead to an improvement in how registered providers provide information to tenants and the scope of that information, particularly to those tenants who are more likely to experience barriers to communication and/or engagement.</p> <p>Overall assessment Taking the above into account, we consider that these requirements may have a positive impact on tenants who share the protected characteristics age, race, disability, and sex.</p>		

⁵⁶ [Inside Housing - Home - Paternalistic attitudes from social landlords can add to the stigmatisation of residents](#)

⁵⁷ Throughout the consumer standards 'shared spaces' are those spaces used by tenants that are not the responsibility of the landlord, as opposed to communal areas where landlords have direct responsibilities for ensuring their safety and maintenance.

⁵⁸ <https://www.ons.gov.uk/census>

⁵⁹ <https://www.ons.gov.uk/census>

⁶⁰ <https://www.ons.gov.uk/census>

⁶¹ [Fobbed Off, Shelter, 2021](#)

⁶² [EHS Headline report 2021/22](#)

⁶³ [Adult's Media Use and Attitudes report 2020/21 \(ofcom.org.uk\)](#)

2.3.3. Registered providers' housing and neighbourhood policies must be fair, reasonable, accessible, and transparent. Where relevant, policies should set out decision-making criteria and appeals processes.

2.3.4. Registered providers must make information available to tenants about the relevant roles and responsibilities of senior level employees or officers, including who has responsibility for compliance with the consumer standards.

Transparency and accountability to tenants – Performance information
EXCLUDES specific expectations 2.4.1 – 2.4.3 relating to tenant satisfaction measures as they are covered by a separate EQIA

Potential impact on different protected characteristics

Age	Disability	Gender reassignment	Pregnancy and maternity	Race
Religion or belief	Sex	Sexual orientation	Marriage and civil partnership	

There is insufficient evidence of any impact on protected groups.

Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral
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<p>Required outcome Registered providers must collect and provide information to support effective scrutiny by tenants of their landlord’s performance in delivering landlord services.</p> <p>Specific expectations 2.4.4. Registered providers must provide tenants with information about:</p> <ul style="list-style-type: none"> a) how they are performing in delivering landlord services and what actions they will take to improve performance where required b) how they have taken tenants’ views into account to improve landlord services, information, and communication c) how income is being spent; and d) their directors’ remuneration and management costs. 	<p>We did not find any evidence which is directly relevant to the provision of information to tenants by providers. However, we acknowledge that our proposed general requirement for registered providers to consider how they communicate and or present information to their tenant populations is likely to support this specific proposal.</p> <p>Our proposed requirements While all tenants may be positively impacted by requirements relating to the provision of performance information, as it will help them to better hold their landlord to account, there is no evidence of a specific positive or negative impact on tenants who share different protected characteristics.</p> <p>Overall assessment Taking the above into account, we consider that these requirements are likely to have a neutral impact on tenants who share different protected characteristics.</p>
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Transparency and accountability to tenants: Complaints				
Potential impact on different protected characteristics				
Age X	Disability X	Gender reassignment	Pregnancy and maternity	Race X
Religion or belief	Sex	Sexual orientation	Marriage and civil partnership	
There is insufficient evidence of any impact of the requirement on the other protected groups.				
Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral			
<p>Required outcome Registered providers must ensure complaints are addressed fairly, effectively, and promptly.</p> <p>Specific expectations 2.5.1. Registered providers must ensure their approach to handling complaints is simple and accessible.</p> <p>2.5.2. Registered providers must publicise their complaints process and what tenants can do if they are dissatisfied with the outcome of a complaint or how a complaint was handled.</p> <p>2.5.3. Registered providers must provide tenants with information about the type of complaints received and how they have learnt from complaints to continuously improve services.</p>	<p>What the evidence tells us</p> <ul style="list-style-type: none"> In the last 12 months, 32 per cent of social renters had considered making a complaint. Compared to private renters, social renters are twice as likely to consider complaining. Older renters were less likely to consider complaining than younger renters (20 per cent of those aged 65 or over considered making a complaint compared to 34 per cent of those under 65).⁶⁴ Most social renters who chose not to make a complaint made this decision because of the hassle and time required to do so (43 per cent), or because they believed that nothing would be done in response to their complaint (27 per cent). Most social renters who made a complaint were unhappy with the response to their complaint (63 per cent)⁶⁵. Social renters with an HRP from an ethnic minority background were more likely to consider complaining than those with a white HRP, 38 per cent as opposed to 30 per cent (this difference might be due to the younger age profile of ethnic minority households, as younger tenants were more likely to consider complaining than older renters over aged 65). The proportion of social renters who, after considering a complaint, went on to make one was the same for households with an ethnic minority HRP and those with a white HRP, 85 per cent in both groups.⁶⁶ Evidence presented by Social Housing Action Campaign (SHAC) to the Levelling Up Housing and Communities Committee's Inquiry into the regulation of social housing indicated that for disabled people the complaints process could be draining and demoralising when met by landlords who (SHAC alleged) intentionally protract the process or completely ignore their complaints. The complaints process itself is not always accessible depending on the tenant's disability, and landlords often refuse to make reasonable adjustments to facilitate this⁶⁷. <p>Our proposed requirements The requirements relating to complaints handling should result in registered providers making tenants aware of how to make a complaint to their landlord, which, given the evidence, may have a positive impact on tenants who share the protected characteristics of race, age, and disability. We consider that PSED aims one and two are relevant to these requirements.</p> <p>The expanded requirements on providers regarding complaints should help to ensure that registered providers have an accessible and responsive complaints system which does not place barriers in the way of any tenants. Our proposed standard operates alongside the work of the Housing Ombudsman Service, setting expectations about how registered providers are expected to handle complaints, and incorporating requirements around transparency to tenants.</p> <p>Overall assessment Taking the above into account, we consider that these requirements may have a positive impact on tenants who share the protected characteristics of race, age, and disability.</p>			

⁶⁴ [EHS: Social rented sector, 2020-21](#)

⁶⁵ [EHS: Social rented sector, 2020-21](#)

⁶⁶ [EHS: Social rented sector, 2020-21](#)

⁶⁷ <https://committees.parliament.uk/writtenevidence/41978/pdf/>

Transparency and accountability to tenants: Self-referral

Potential impact on different protected characteristics				
Age	Disability	Gender reassignment	Pregnancy and maternity	Race
Religion or belief	Sex	Sexual orientation	Marriage and civil partnership	

There is insufficient evidence of any impact on protected groups.

Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral
<p>Specific expectation Registered providers must communicate in a timely manner with the regulator on all material issues that relate to non-compliance or potential non-compliance with the consumer standards.</p>	<p>What the evidence tells us We did not find any equality evidence which is directly relevant to this requirement.</p> <p>Our proposed requirements The Governance and Financial Viability Standard requires private registered providers to communicate to the regulator on material issues that relate to their non-compliance or potential non-compliance with the standards and the Rent Standard requires this of both private registered providers and local authority registered providers where there are material issues related to non-compliance in respect of rents. This proposed requirement will make clear that this is also a requirement in respect of our consumer standards.</p> <p>While all tenants are likely to be positively impacted by requirements on providers to communicate with the regulator on material issues relating non-compliance with the consumer standards, there is no evidence of any impact on tenants who share different protected characteristics.</p> <p>Overall assessment Taking the above into account, we consider at this stage, we have not identified any equality impacts relevant to this requirement.</p>

Neighbourhood and Community: Maintenance of shared spaces				
Potential impact on different protected characteristics				
Age X	Disability X	Gender reassignment	Pregnancy and maternity	Race X
Religion or belief	Sex	Sexual orientation	Marriage and civil partnership	
There is insufficient evidence of any impact on the other protected groups.				
Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral			
<p>Required outcome Registered providers must work co-operatively with tenants, other landlords and relevant organisations to contribute to the upkeep and safety of shared spaces associated with their homes.</p> <p>Specific expectation 2.1.1 Registered providers must work co-operatively to assist in resolving issues affecting the upkeep and safety of the shared spaces associated with their homes.</p>	<p>What the evidence tells us</p> <ul style="list-style-type: none"> Specialist older persons' housing is likely to be flatted accommodation, where communal areas are important for accessibility and create spaces that help combat isolation. These need to be safe and well maintained. While there is a distinction between communal areas (which are covered under the Safety & Quality Standard) and shared spaces, older people's housing may be also more likely to have shared spaces as well as communal. Government planning guidance indicates the importance of the quality and accessibility of shared spaces for the wellbeing of older residents.⁶⁸ 45 per cent of social housing tenants live in a flat (compared to 22 per cent for all tenures) and 48 per cent of disabled social housing tenants live in a flat, maisonette or apartment⁶⁹. Accessibility and social cohesion are two of the most significant factors affecting how older people experience their neighbourhood.⁷⁰ Research by Foundations in 2022 also emphasised the importance of shared spaces and their accessibility to the lives of disabled people.⁷¹ The Housing Ombudsman in his evidence to the Levelling Up Housing and Communities Committee's Inquiry on the regulation of social housing advocated that as part of a reviewed DHS, a minimum standard should apply to communal spaces including external areas such as gardens, including lighting, bin areas and bin chutes.⁷² In social housing between 2016 and 2019, 6 per cent of households with a white British HRP were overcrowded compared to 17 per cent of those with a HRP from an ethnic minority. Households with the highest rates of overcrowding were those with HRPs from the following groups: Bangladeshi (24 per cent), Pakistani (18 per cent), black African (16 per cent), Arab (15 per cent) and Mixed white and black African (14 per cent).⁷³ Ethnic minority social tenants are twice as likely to live in overcrowded homes⁷⁴. <p>Our proposed requirements Responses to the Social Housing Green Paper highlighted tenants' concerns about the quality and upkeep of the spaces around their homes. These proposed requirements set expectations in relation to 'shared spaces', which the landlord does not have responsibility for but where, with effective contribution and cooperation with others, they can improve tenants' experience of using the shared spaces around their homes.</p> <p>Based on the evidence, older people may be more likely to live in accommodation where shared spaces are a feature. Disabled people need shared spaces to be accessible and safe. People from some minority ethnic groups are more likely to live in overcrowded conditions and therefore have most to gain from quality shared spaces. The requirement to contribute to the upkeep and safety of shared spaces may therefore have a positive impact on tenants who share the protected characteristics of age, disability, and race. We consider that PSED aim two is relevant to these requirements.</p> <p>Overall assessment Taking the above into account, we consider that these requirements may have a positive impact on tenants who share the protected characteristics age, disability, and race.</p>			

⁶⁸ [Housing for older and disabled people - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/housing-for-older-and-disabled-people)

⁶⁹ <https://www.ons.gov.uk/census>

⁷⁰ [Future of an aging population, Government Office for Science,](https://www.gov.uk/government/research-data-and-analysis/publications/future-of-an-aging-population)

⁷¹ [Housing-Associations-and-Home-Adaptations](https://www.gov.uk/government/research-data-and-analysis/publications/housing-associations-and-home-adaptations)

⁷² <https://committees.parliament.uk/writtenevidence/41938/pdf/>

⁷³ [Overcrowded households - GOV.UK Ethnicity facts and figures \(ethnicity-facts-figures.service.gov.uk\)](https://www.gov.uk/government/research-data-and-analysis/publications/overcrowded-households)

⁷⁴ <https://www.ons.gov.uk/census>

Neighbourhood and Community: Local cooperation				
Potential impact on different protected characteristics				
Age X	Disability X	Gender reassignment X	Pregnancy and maternity	Race X
Religion or belief	Sex X	Sexual orientation X	Marriage and civil partnership	
There is insufficient evidence of any impact on the other protected groups.				
Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral			
<p>Required outcome Registered providers must co-operate with relevant partners to promote social, environmental, and economic wellbeing in the areas where they provide social housing.</p> <p>Specific expectations 2.2.1 Registered providers, having taken account of their strategic objectives, the views of tenants and their presence within the areas where they provide social housing, must:</p> <ol style="list-style-type: none"> identify and communicate to tenants the roles registered providers play in promoting social, environmental, and economic wellbeing and how they will achieve them co-operate with local partnership arrangements and the strategic housing function of local authorities where they are able to assist them in achieving their objectives. 	<p>What the evidence tells us 2020 Government data⁷⁵ for the most deprived 10 per cent of neighbourhoods shows that:</p> <ul style="list-style-type: none"> White British people were the least likely to live in the neighbourhoods most deprived in relation to living environment (9.2 per cent), crime (8.9 per cent) and barriers to housing and services (8.2 per cent) Out of the 18 individual ethnic groups, black African (32.3 per cent), black Other (31.6 per cent), and black Caribbean (29.2 per cent) people were the most likely to live in the neighbourhoods most deprived in relation to housing and services. People from the Pakistani ethnic group were the most likely to live in the 10 per cent of neighbourhoods most deprived in relation to education, skills, and training (27.4 per cent), health and disability (16.0 per cent), crime (21.2 per cent) and the living environment (28.2 per cent). <p>A Bristol University report The Inequality of Poverty⁷⁶ from 2021 indicates the following:</p> <ul style="list-style-type: none"> People from Bangladeshi and Pakistani ethnic minorities have the highest rates of poverty (at 23-26 per cent), followed by Indian, black Caribbean and black African groups (9-11 per cent). The white majority has the lowest poverty rate at (6 per cent). Some protected characteristics are associated with an increased risk of poverty in the UK: race, sex (in the case of single mothers), and disability. In relation to age, while pensioner poverty has fallen over the last few decades younger workers are much more likely to be in poverty than other age groups. We also found that intersectionality plays a large role; the more protected characteristics a person has, the more risk they bear of being in poverty. Poverty amongst minority ethnic groups arises largely from the position in the labour market. Overall people from minority ethnic groups are more likely to work in low-paid occupations or earn below the living wage. There are also higher unemployment rates in some minority ethnic groups, and workers from black minority ethnic groups are more likely to have insecure work. <p>A Houseproud project report from the University of Surrey in 2018 found that:</p> <ul style="list-style-type: none"> Nearly 50 per cent of LGBT+ survey respondents in social housing do not feel a sense of belonging in their local community. 25 per cent reported feeling lonely in the area they live and only 31 per cent of LGBT+ survey respondents felt their housing provider could deal effectively with issues of harassment.⁷⁷ The poverty rate is consistently higher for disabled people (32 per cent in 19/20) compared to 20 per cent not disabled).⁷⁸ In the year ending March 2021, disabled people were more likely to report feelings of loneliness “often or always” (15.1 per cent) than non-disabled people (3.6 per cent).⁷⁹ <p>Our proposed requirements Based on the evidence, requiring providers to co-operate with partners to promote social, environmental, and economic wellbeing may have a positive impact on tenants who share the protected characteristics age, race, disability, sex, gender reassignment, and sexual orientation. We consider that all PSED aims are relevant to these requirements. Requiring registered providers to set out how they will achieve their role in the promotion of social, environmental, and economic wellbeing strengthens the current expectation as it is more transparent and active.</p> <p>Overall assessment Taking the above into account, we believe this requirement may have a positive impact on tenants who share the protected characteristics age, race, disability, sex, gender reassignment, and sexual orientation.</p>			

⁷⁵ [People living in deprived neighbourhoods - GOV.UK Ethnicity facts and figures \(ethnicity-facts-figures.service.gov.uk\)](https://www.ethnicity-facts-figures.service.gov.uk/people-living-in-deprived-neighbourhoods)

⁷⁶ [The Inequality of Poverty Full Report.pdf \(fairbydesign.com\)](https://www.fairbydesign.com/the-inequality-of-poverty-full-report.pdf)

⁷⁷ [No Place Like Home](#)

⁷⁸ [2022 UK Poverty report](#)

⁷⁹ [Outcomes for disabled people in the UK - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk/outcomes-for-disabled-people-in-the-uk)

Neighbourhood and Community: Safer neighbourhoods

Potential impact on different protected characteristics

Age X	Disability X	Gender reassignment X	Pregnancy and maternity	Race X
Religion or belief X	Sex X	Sexual orientation X	Marriage and civil partnership	

There is insufficient evidence of any impact on the other protected groups.

Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral
<p>Required outcome Registered providers must work in partnership with appropriate local authority departments, the police, and other relevant organisations to deter and tackle ASB in the neighbourhoods where they provide social housing.</p> <p>Specific expectations</p> <p>2.3.1 Registered providers must have a policy on how they work with relevant organisations to deter and tackle ASB in the neighbourhoods where they provide social housing.</p> <p>2.3.2 Registered providers must have clearly set out their approach for how they tackle and deter hate incidents in neighbourhoods where they provide social housing.</p> <p>2.3.3 Registered providers must enable ASB to be reported easily and keep tenants informed about the progress of their case.</p>	<p>What the evidence tells us</p> <p>Government 2021/22 hate crime figures⁸⁰:</p> <ul style="list-style-type: none"> 70 per cent (109,843) of hate crimes were racially motivated - racially motivated hate crimes increased by 19 per cent between year ending March 2021 and year ending March 2022. Religious hate crimes increased by 37 per cent between year ending March 2021 and year ending March 2022 (from 6,383 to 8,730). In year ending March 2022, where the perceived religion of the victim was recorded, two in five (42 per cent) of religious hate crime offences were targeted against Muslims (3,459 offences). The next most targeted group were Jewish people, who were targeted in just under one in four (23 per cent) of religious hate crimes (1,919 offences). Sexual orientation hate crimes rose by 41 per cent (to 26,152 offences). This was the largest percentage annual increase in these offences since the time series began in year ending March 2012. Disability hate crimes increased by 43 per cent (from 9,945 to 14,242) over the last year, the largest percentage annual increase seen since year ending March 2017 (53 per cent). <p>ONS crime figures 2020⁸¹:</p> <ul style="list-style-type: none"> 40 per cent of white British households experienced ASB in the local area compared to 46 per cent white and black African and 55 per cent other mixed ethnic background. 50 per cent of Jewish households experienced ASB in the local area. 52 per cent of gay/lesbian households and 49 per cent of bisexual households experienced ASB in the local area compared to 42 per cent of heterosexual households. <p>ONS perception of personal safety and experiences of harassment 2022⁸²</p> <ul style="list-style-type: none"> People felt less safe walking alone in all settings after dark than during the day; with women feeling less safe than men in all settings after dark. Disabled people felt less safe in all settings than non-disabled people. More women (27 per cent) than men (16 per cent) reported they had experienced at least one form of harassment in the previous 12 months. <p>Research⁸³ from the University of Surrey indicated:</p> <ul style="list-style-type: none"> Transgender respondents were particularly concerned about safety in their neighbourhood, due to transphobia and transphobic hate crime. Disabled people aged 16 years and over (43.4 per cent) were significantly more likely to have experienced ASB than non-disabled people (39 per cent). This was most pronounced amongst those aged 35-44, where 57.7 per cent of disabled people experienced ASB compared with 43.3 per cent of non-disabled people.⁸⁴ <p>London Councils' 2014 report⁸⁵ on ASB and mental health found that people with learning disabilities and mental health problems can sometimes be perceived as perpetrators of ASB through displaying behaviours due to their impairment.</p> <p>A Cambridge University research project⁸⁶ found very differing ideas about what constitutes ASB between adults and people aged 11-15 within the same area.</p> <ul style="list-style-type: none"> Social housing tenants are more likely to experience ASB and be victims of crime than those in other tenures⁸⁷.

⁸⁰ [Hate crime, England and Wales, 2021 to 2022 - GOV.UK](#)

⁸¹ [Crime in England and Wales, 2020](#)

⁸² [Perceptions of personal safety and experiences of harassment, Mar 22 Great Britain - ONS](#)

⁸³ [SAFE Housing University of Surrey, 2017](#)

⁸⁴ [Outcomes for disabled people in the UK - ONS](#)

⁸⁵ [Mental-Health-and-Anti-Social-Behaviour-London-Councils-2014.pdf \(hampshiresab.org.uk\)](#)

⁸⁶ [Generation blame: how age affects our views of anti-social behaviour | University of Cambridge](#)

⁸⁷ [The charter for social housing residents: social housing white paper - GOV.UK \(www.gov.uk\)](#)

<p>2.3.4 Registered providers must provide prompt and appropriate action in response to ASB, having regard to the full range of tools and legal powers available to them.</p> <p>2.3.5 Registered providers must support tenants who are affected by ASB, including by signposting them to agencies who can give them appropriate support and assistance.</p>	<p>Our proposed requirements</p> <p>Based on the evidence, tenants who share the protected characteristics age, race, religion or belief, disability, sex, gender reassignment, and sexual orientation may be more positively impacted by requirements relating to ASB and hate crime. We consider that all PSED aims are relevant to these requirements.</p> <p>The new expectation that providers set out their approach to tackling and deterring hate incidents may have a positive impact on tenants who share the protected characteristics race, gender reassignment, disability, sexual orientation, and age, as providers will need to define their policy and approach, taking into account the needs of their tenants and current sector good practice in this area.</p> <p>Some perpetrators of ASB suffer with mental health problems. 2.3.5 requiring providers to support those affected by ASB rather than limiting support to victims of ASB may help to facilitate the right support and interventions being put in place for those perpetrators and achieve a positive outcome that reduces further offending and helps them to maintain their tenancy.</p> <p>We have taken the opportunity in the draft Code of Practice to make it clear that providers should aim to eliminate any barriers to reporting ASB and hate incidents to their landlord, which may have a positive impact on those tenants who may be reluctant to report ASB and hate incidents or who experience communications barriers.</p> <p>Overall assessment</p> <p>Taking the above into account, we consider that these requirements may have a positive impact on tenants who share the protected characteristics race, religion or belief, gender reassignment, disability, sex, sexual orientation, and age.</p>
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Neighbourhood and Community: Domestic abuse				
Potential impact on different protected characteristics				
Age X	Disability X	Gender reassignment X	Pregnancy and maternity X	Race X
Religion or belief	Sex X	Sexual orientation X	Marriage and civil partnership	
There is insufficient evidence of any impact on the other protected groups.				
Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral			
<p>Required outcome Registered providers must work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.</p> <p>Specific expectations 2.4.1. Registered providers must have a policy for how they respond to cases of domestic abuse.</p> <p>2.4.2. Registered providers must co-operate with appropriate local authority departments to support the local authority in meeting its duty to develop a strategy and commission services for victims of domestic abuse and their children within safe accommodation.</p>	<p>What the evidence tells us ONS data on domestic abuse victim characteristics 21/22⁸⁸:</p> <ul style="list-style-type: none"> • 74 per cent of domestic abuse related crimes recorded by the police the victim was female. • Significantly higher proportion of adults aged 20 to 24 years were victims of any domestic abuse compared with those in age categories of 55 years and over. • 10 per cent of adults with a disability experienced domestic abuse compared to 4 per cent of adults without a disability. • Differences between any domestic abuse estimates across different ethnic groups were found not to be significant. • ONS statistics⁸⁹ show that, of all victims of any type of domestic abuse, it was reported by 5.0 per cent of white people, 8.7 per cent of mixed ethnicity people, 3.9 per cent Asian people, and 5.9 per cent black people. Looking at female victims only, the figures were 7.0 per cent white, 3.2 per cent Asian, and 10.2 per cent black. • Domestic abuse can escalate during pregnancy⁹⁰. • 1 in 15 survivors using domestic abuse services are pregnant women.⁹¹ • The Safe at Home Report⁹² recommends creating a domestic abuse policy for staff and tenants in order to raise awareness of domestic abuse. • The Home Office states⁹³ that between an estimated quarter and a third of children have been exposed to domestic abuse at some point in their lives; and that women aged 16 to 19 years were significantly more likely to be victims of any domestic abuse in the last year than women aged 25 years and over. It also found that disabled adults were more likely to have experienced domestic abuse in the last year than non-disabled adults. • There is further evidence to suggest that disabled people are at increased risk of experiencing domestic abuse in the Crime Survey for England and Wales year ending March 2020⁹⁴. This found that around 1 in 7 (14 per cent) disabled adults aged 16 to 59 years experienced domestic abuse, compared with 1 in 20 (5 per cent) non-disabled adults, and that disabled women were more than twice as likely to have experienced domestic abuse (18 per cent) than non-disabled women (7 per cent). • While there are no official statistics on the experiences of LGBT+ communities with domestic abuse, research ⁹⁵by GALOP suggests it is very prevalent. • A Stonewall study⁹⁶ found more than a quarter of British transgender people (28 per cent) in a relationship in the previous year had faced domestic abuse from a partner. <p>Our proposed requirements The White Paper commits the regulator to introducing a requirement for landlords to have a policy setting out how they should tackle issues surrounding domestic abuse, working with other agencies as appropriate, and the Act extends our powers to set standards to include policies and procedures in connection to domestic abuse. This is reflected in the proposed standard. We consider that all PSED aims are relevant to these requirements.</p> <p>Based on the evidence, requiring providers to work with others to tackle domestic abuse may have a positive impact on tenants who share the protected characteristics of pregnancy and maternity, gender, age, race, disability, gender reassignment, and sexual orientation. By working with other agencies, registered providers may be able to achieve more to tackle domestic abuse than they could by working alone, which may reduce disadvantages suffered by victims and survivors. The outcome of such partnership working should help to ensure that victims and survivors of domestic abuse can remain safe in their home or move to a place of safety.</p>			

⁸⁸ [Domestic abuse victim characteristics, England and Wales - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

⁸⁹ [Domestic abuse prevalence and victim characteristics - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

⁹⁰ [Safe Lives: Cry for health, 2016](#)

⁹¹ [The Domestic Abuse Report, 2022](#)

⁹² [Safe at Home Report.pdf \(safelives.org.uk\)](#)

⁹³ [Policy Equality Statement: demonstrating compliance with the Public Sector Equality Duty \(PSED\) \(publishing.service.gov.uk\)](#)

⁹⁴ [Disability and crime - Office for National Statistics \(ons.gov.uk\)](https://ons.gov.uk)

⁹⁵ [Galop domestic abuse.indd](#)

⁹⁶ [stonewall_and_nfp_synergy_report](#)

Having a domestic abuse policy should raise awareness of and increase understanding of domestic abuse and the support available to victims and survivors of domestic abuse within the community and with a registered provider's staff. Having a policy setting out how they respond to cases of domestic abuse may also help to ensure that providers respond appropriately and consistently to reports of domestic abuse. The Draft [Domestic Abuse Statutory Guidance Framework](#) states that it is vital that housing providers are able to recognise and respond to the signs of domestic abuse. Its findings include the risk of housing providers misdiagnosing the effects of domestic abuse as ASB and the cost to providers of doing so. Expecting registered providers to have a clear policy and commitment to this approach may also help to contribute to a societal challenge against domestic abuse towards victims and survivors, where there is significant correlation across protected characteristics, particularly for women.

The draft Code of Practice makes clear that providers should ensure they have an appreciation of the different specific needs of tenants who experience domestic abuse, including those arising from the tenant's protected characteristics, such as disability and race.

Overall assessment

Taking the above into account, we consider that these requirements may have a positive impact on tenants who share the protected characteristics pregnancy and maternity, sex, age, race, disability, gender reassignment, and sexual orientation.

Tenancy: Allocations and lettings				
Potential impact on different protected characteristics				
Age X	Disability X	Gender reassignment	Pregnancy and maternity	Race X
Religion or belief	Sex	Sexual orientation	Marriage and civil partnership	
There is insufficient evidence of any impact on the other protected groups.				
Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral			
<p>Required outcome Registered providers must allocate and let their homes in a fair and transparent way that takes the needs of tenants and prospective tenants into account.</p> <p>Specific expectations 2.1.1 Registered providers must co-operate with local authorities' strategic housing functions and assist local authorities to fulfil their duties to meet identified local housing needs. This includes assistance with local authorities' homelessness duties, and through meeting obligations in nominations agreements.</p> <p>2.1.2 Registered providers must seek to allocate homes that are designated, designed, or adapted to meet specific needs in a way that is compatible with the purpose of the housing.</p> <p>2.1.3 Registered providers must develop and deliver services to address under-occupation and overcrowding in their homes. These services should be focused on the needs of tenants.</p>	<p>What the evidence tells us</p> <p>Government figures on overcrowded households⁹⁷:</p> <ul style="list-style-type: none"> Households with a black lead applicant were the most disproportionately homeless at 9.7 per cent of those owed a duty but only 3.5 per cent of the population. Households with the highest rates of overcrowding were in the Bangladeshi (24 per cent), Pakistani (18 per cent), black African (16 per cent), Arab (15 per cent) and mixed white and black African (14 per cent) ethnic groups. 2 per cent of white British households were overcrowded. In social housing 6 per cent of white British were overcrowded compared to 13 per cent of the population other than white British. For vulnerable Bangladeshi households, the most common reason they were given priority was the need to move out of unsanitary, unsatisfactory, or overcrowded conditions. White British households were more likely to under-occupy their home than households from all other ethnic groups combined. <p>Government data on renting social housing⁹⁸</p> <ul style="list-style-type: none"> Black African (44 per cent), mixed white and black African (41 per cent) and black Caribbean (40 per cent) households were most likely to rent social housing out of all ethnic groups. Indian (7 per cent), Chinese (10 per cent), and white other (11 per cent) households had lower rates of renting social housing. Compares with 16 per cent of white British households rented social housing. In London, white British households were less likely to rent social housing than households from all other ethnic groups combined. Outside London, white British households were as likely to rent social housing as households from all other ethnic groups combined. Households with a HRP from black ethnic groups were the most likely to live in the neighbourhoods most deprived in relation to barriers to housing and services and those with a HRP from the white British ethnic group least likely. Households from the Pakistani ethnic group were the most likely to live in the 10 per cent of neighbourhoods most deprived in relation to education, skills and training, health and disability, crime, and the living environment. <p>Census 2021 data⁹⁹</p> <ul style="list-style-type: none"> Ethnic minority social tenants are twice as likely to live in overcrowded homes <p>Research¹⁰⁰ by the National Institute for Health Research, School for Social Care Research highlights some of the difficulties those with mild and moderate learning disabilities have with accessing social housing:</p> <ul style="list-style-type: none"> Social housing was often viewed as the first or preferred option, but the sector was difficult to access. The process of applying for social housing, generally through choice - based lettings, is challenging, even where a person has advocates. The bidding process is difficult to understand and the competitive nature of it places significant pressure on people with learning disabilities. The choice based letting system needs to be made much more accessible. Having a trusted and well-informed individual that supports someone through a move and maintaining their tenancy is essential. <p>Some of the evidence¹⁰¹ provided to the Levelling Up Housing and Communities Committee's inquiries into the regulation of social housing, and into exempt accommodation, indicated that unsuitable allocations can have a detrimental effect. SHAC's written evidence to the inquiry on the regulation of social housing suggests that support provided to disabled tenants experiencing ASB needs to be improved, with better use made of powers under the Anti-Social Behaviour, Crime and Policing Act 2014. West Midlands Police's written evidence to the inquiry on exempt accommodation expressed concern about 'concentrations of vulnerable persons, many with complex needs' in ASB hotspot areas as it provides 'opportunity for them to be exploited, to exploit others or for their vulnerabilities to be otherwise taken advantage of or exposed'.</p>			

⁹⁷ [Overcrowded households – GOV.UK Ethnicity facts and figures](#)

⁹⁸ [Renting social housing – GOV.UK Ethnicity facts and figures](#)

⁹⁹ <https://www.ons.gov.uk/census>

¹⁰⁰ [Supporting people with learning disabilities to rent their own place - Resource Library - Resources - Housing LIN](#)

¹⁰¹ <https://committees.parliament.uk/writtenevidence/41978/pdf/> <https://committees.parliament.uk/writtenevidence/43141/pdf/>

<p>2.1.4 Registered providers must take action to prevent and tackle tenancy fraud.</p>	<p>A 2019 report¹⁰² from the APPG for housing and care for older people highlighted that older tenants in social housing are most likely to under-occupy and that this can create several problems with fuel poverty and maintenance cost.</p>
<p>2.1.5 Registered providers must have a fair, reasonable, simple, and accessible appeals process for allocation decisions.</p>	<p>Overcrowding is much more prevalent amongst those aged 16 to 34.¹⁰³</p> <p>A 2021 publication¹⁰⁴ from the House of Commons Library stated that older households who want to move may struggle to move to an accessible home due to a shortage of accessible and specialist housing for older people (for example, retirement housing, sheltered housing and housing with care) in both the private and social sectors.</p>
<p>2.1.6 Registered providers must record all lettings and sales as required by the Continuous Recording of Lettings (CORE) system.</p>	<p>Our proposed requirements</p> <p>Based on the evidence, tenants within the sector who may be positively impacted by these requirements share the protected characteristics age, race, and disability. We consider that PSED aim two is relevant to these requirements.</p> <p>We are broadening the current requirement that providers <i>take into account the housing needs and aspirations of tenants and potential tenants, to take into account the needs of tenants and prospective tenants</i>. This may encourage registered providers to consider the wider needs of tenants and prospective tenants arising from their protected characteristics, or broader circumstances, in their allocations decisions, and therefore help to advance opportunities for some tenants who share one or more protected characteristics.</p> <p>2.1.2 makes the need clear for providers to make best use of the limited stock of adapted properties, which may improve opportunities for those who share protected characteristics of disability and age.</p> <p>2.1.5 requires that the appeals process must be fair, reasonable, simple, and accessible, and reiterates requirements that are elsewhere in the standards for landlord services to be accessible.</p> <p>2.1.6 ensures the continued availability of data on social housing lettings which helps to increase information in the public domain about who is moving into social housing, which is a fundamental element in ensuring equitable access and outcomes.</p> <p>Overall assessment</p> <p>Taking the above into account, we consider that these requirements may have a positive impact on tenants who share the protected characteristics age, race, and disability.</p>

¹⁰² [HAPPI-5-Rental-Housing.pdf \(housinglin.org.uk\)](https://housinglin.org.uk/HAPPI-5-Rental-Housing.pdf)

¹⁰³ [English Housing Survey: Housing across the life course 2018-19 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/100000/english-housing-survey-housing-across-the-life-course-2018-19.pdf)

¹⁰⁴ [Housing an ageing population: a reading list \(parliament.uk\)](https://www.parliament.uk/housing-an-ageing-population-a-reading-list/)

Tenancy: Tenure				
Potential impact on different protected characteristics				
Age	Disability	Gender reassignment	Pregnancy and maternity	Race
Religion or belief	Sex	Sexual orientation	Marriage and civil partnership	
There is insufficient evidence of any impact on protected groups.				
Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral			
<p>We have only assessed the text in bold below.</p> <p>Required outcome Registered providers must offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock.</p> <p>They shall meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements or terms of occupation.</p>	<p>What the evidence tells us We did not find any evidence which is directly relevant to the requirement for registered providers to meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements or terms of occupation.</p> <p>Our proposed requirements We considered whether this requirement may have a positive impact on tenants who share different protected characteristics. While all tenants may be positively impacted by this requirement, there is no evidence of any impact on tenants who share different protected characteristics.</p> <p>Overall assessment Taking the above into account, at this stage we have not identified any equality impacts relevant to this proposal.</p>			

Tenancy: Tenancy sustainment and evictions				
Potential impact on different protected characteristics				
Age X	Disability X	Gender reassignment	Pregnancy and maternity	Race X
Religion or belief	Sex X	Sexual orientation	Marriage and civil partnership	
There is insufficient evidence of any impact on the other protected groups.				
Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral			
<p>Required outcome Registered providers must support tenants to maintain their tenancy or licence. Where a registered provider ends a tenancy or licence, they must offer affected tenants advice and assistance.</p> <p>Specific expectations 2.2.1 Registered providers must provide services that support tenants to maintain their tenancy or licence and prevent unnecessary evictions.</p> <p>2.2.2 Registered providers must provide tenants required to move with timely advice and assistance about housing options before the tenancy or licence ends.</p>	<p>What the evidence tells us</p> <p>Government data on the social rented sector¹⁰⁵:</p> <ul style="list-style-type: none"> The youngest and oldest social renters (those aged 16 to 24, and 75 and over) had the highest proportions in the lowest income quintile for their age (69 per cent and 73 per cent respectively), with the weekly income being lowest for 16- to 24-year-olds and those aged 75 and over, at £293 and £290 respectively. Amongst household types in the social rented sector, lone parents with dependent children (49 per cent) and one person households (79 per cent) had the highest proportion in the lowest income quintile compared to other household types. Lone parents with non-dependent children (56 per cent) and lone parents with dependent children (60 per cent) had the lowest proportion saying they found it easy to pay rent compared to other household types. Younger social renters were more likely to have been in rent arrears within the previous year than older renters. Social renters aged 16 to 24 and 25 to 34 were more likely than all other age groups to have been in arrears in the last year (44 per cent and 37 per cent respectively). Social renters aged 75 and over and those aged 65 to 74 were the least likely to be in arrears (6 per cent and 5 per cent respectively). Lone parents in social housing with dependent children (42 per cent) were more likely to have been in rent arrears within the previous year than any other household type. This was followed by couples with dependent children (27 per cent). In the social rented sector, those receiving housing benefit were more likely to have been in rent arrears in the previous year (30 per cent) compared to those who do not (17 per cent). <p>The Inequality of Poverty report from the University of Bristol¹⁰⁶ also found significant differences in rates of poverty, which seem to align with certain protected characteristics:</p> <ul style="list-style-type: none"> Some protected characteristics are associated with an increased risk of poverty in the UK: race, sex (in the case of single mothers), and disability. People from Bangladeshi and Pakistani ethnic minorities have the highest rates of poverty (at 23-26 per cent), followed by Indian, black Caribbean and black African groups (9-11 per cent) with the white majority at (6 per cent). Their findings indicate that younger workers are much more likely to be in poverty than other age groups. Intersectionality plays a large role; the more protected characteristics a person has, the more risk they bear. They also found a very strong relationship between poverty and disability. <p>The Race Equality Foundation's work in its Housing Collaborative reported¹⁰⁷ that:</p> <ul style="list-style-type: none"> Across all tenures and groups, around 6 per cent of households responding to the Understanding Society survey¹⁰⁸ were in arrears with their housing payments. Those born outside the UK were twice as likely to be in housing arrears. Single parents and other households with dependent children twice as likely. Social housing tenants were two and a half times as likely to be in housing arrears. They identified inequality by ethnicity with a quarter of people with Bangladeshi ethnicity and a fifth of those with Pakistani or black African ethnicity being in housing arrears. This study also looked at those who had told the survey that they intended to move from their present accommodation. Of the total who said this, 4 per cent were moving because of the end of their tenancy or eviction. The report does not explain its results particularly clearly, but it does indicate that the numbers of lone parent with dependent children households who intended to move because of the end of their tenancy or eviction was disproportionately high, both in social housing and private rented housing. They also indicate that black Caribbean, Bangladeshi, white other and mixed ethnic groups were more likely to intend to move because of the end of tenancy or eviction. <p>Census 2021 data¹⁰⁹:</p> <ul style="list-style-type: none"> Social housing tenants have the second lowest employment rate behind owners who have bought their homes outright. 			

¹⁰⁵ [EHS_19-20_Social_rented_sector_report_FINAL.pdf \(publishing.service.gov.uk\)](#)

¹⁰⁶ [The-Inequality-of-Poverty-Full-Report.pdf \(fairbydesign.com\)](#)

¹⁰⁷ [Layout 1 \(raceequalityfoundation.org.uk\)](#)

¹⁰⁸ [COVID-19 | Understanding Society](#)

¹⁰⁹ <https://www.ons.gov.uk/census>

Our proposed requirements

Our draft requirements on tenancy sustainment and evictions give greater emphasis on landlords supporting tenants to maintain their tenancy, as we are proposing to set a required outcome on this issue. Being in arrears with rent is a means by which a tenant may face eviction and the evidence shows us that certain groups e.g., young people (age), people from certain ethnic minorities (race), lone parents (sex), and those with a disability are more likely to be in rent arrears within the social housing sector when compared to other groups who do not share those protected characteristics. By introducing these requirements, registered providers will have to demonstrate how they support tenants in this area. Where tenants can access this additional support, this may reduce the disparities.

We are also being explicit that this requirement applies not only to tenancies, but to licences. These are commonly granted as the basis of occupation in a supported housing context, where licensees are more likely to share the protected characteristic of disability. Registered providers will need to ensure that their approach to tenancy sustainment and evictions covers licensees as well as tenants.

The evidence indicates that tenants within the sector who may be positively impacted by this requirement are those who share protected characteristics of age, race, disability, and sex, as they are more likely to be in poverty and to fall into rent arrears, and so at higher risk of eviction. Other protected groups can also be vulnerable to eviction, such as families with support needs, young people leaving care, and single parents. Vulnerable individuals are also more likely to be housed in supported accommodation, including people fleeing abusive relationships, refugees and migrants, young care leavers and people experiencing mental health problems.

We consider that PSED aim two is relevant to these requirements.

Overall assessment

Taking the above into account, we consider that these measures may have positive impacts on tenants who share the protected characteristics age, sex, race, and disability.

Tenancy: Mutual exchange				
Potential impact on different protected characteristics				
Age X	Disability X	Gender reassignment	Pregnancy and maternity	Race X
Religion or belief	Sex X	Sexual orientation	Marriage and civil partnership	
There is insufficient evidence of any impact on the other protected groups.				
Proposal	Evidence of potential impact(s) and an assessment of our requirements and of the potential impact: positive, negative, or neutral			
<p>Our assessment has been carried out on the required outcome and on specific expectation 2.2.4, which are proposed by the regulator.</p> <p>Required outcome Registered providers must support relevant tenants living in eligible housing to mutually exchange their homes.</p> <p>Specific expectation 2.4.4. Registered providers must offer tenants seeking to mutually exchange with information about the implications for tenure, rent and service charges.</p>	<p>What the evidence tells us</p> <ul style="list-style-type: none"> Shelter's 'Fobbed off' report¹¹⁰ identifies that women face barriers when accessing advice and support with their housing including lack of knowledge of how the system works and poor treatment by professionals. Data from the EHS and OFCOM shows rates of home internet use reducing with age and being lowest generally amongst social housing tenants compared to other tenures. <p>Our proposed requirements We consider that PSED aims one and two are relevant to these requirements.</p> <p>The required outcome should help to ensure that all tenants are equally supported to mutually exchange their home by their landlord. Similarly, 2.4.4 should help to ensure that those who wish to exchange and are eligible can understand the full implications of it, allowing them to make an informed choice about what is best for them. Both changes may have a positive impact on female tenants, tenants who have communication difficulties, and those whose first language is not English.</p> <p>Overall assessment Taking the above into account, we consider that these requirements may have a positive impact on tenants who share the protected characteristics sex, age, disability, and race.</p>			

¹¹⁰ [Fobbed Off, Shelter, 2021](#)

Part 4: Monitoring and review

We are asking respondents to the consumer standards consultation whether they agree with the conclusions in this EQIA. Following the consultation, we will consider the responses in preparing a final EQIA, which we intend to publish alongside the final consumer standards and associated Code of Practice. This will include an assessment of any additional evidence of potential impacts on equality received during this consultation.

If we make changes to the consumer standards following the consultation, we will consider whether to revise the EQIA. In addition, where new relevant equality data becomes available, including in relation to the identified gaps, consideration to reviewing the EQIA will also be given at that point.



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Regulator of Social Housing

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Leeds LS1 4AP

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.

REPORT TO:	HOUSING & COMMUNITY SERVICES COMMITTEE	AGENDA ITEM:8
DATE OF MEETING:	28 SEPTEMBER 2023	CATEGORY: RECOMMENDED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	HEAD OF HOUSING – PAUL WHITTINGHAM paul.whittingham@southderbyshire.gov.uk – Tel: 01283 595984	DOC:
SUBJECT:	REVIEW OF TENANCY STRATEGY & TENANCY POLICY	
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: HCS01

1.0 Recommendations

- 1.1 That the Committee approves the draft Tenancy Strategy and Tenancy Policy for consultation with Council Tenants and other partners.
- 1.2 That final versions of both the Tenancy Strategy and Tenancy Policy are presented to this Committee at a future date after the conclusion of the consultation process.

2.0 Purpose of the Report

- 2.1 To seek Members' approval to the draft Tenancy Strategy 2023 – (at Appendix A) and draft Tenancy Policy 2023 – (at Appendix B).

3.0 Executive Summary

- 3.1 Further to the Localism Act 2011, Local Authorities have a statutory duty to publish a Tenancy Strategy. Following new and updated legislation namely the Housing and Planning Act 2016, Homelessness Reduction Act 2017 and Secure Tenancies (Victims of Domestic Abuse) Act 2018 the Tenancy Strategy and Tenancy Policy adopted by the Council in 2016 requires updating.

4.0 Detail

- 4.1 The draft Tenancy Strategy 2023 sets out the types of tenancies that can be granted, the circumstances that apply to the granting of the tenancy type and how a tenancy will be bought to an end.
- 4.2 The draft Tenancy Strategy 2023 sets out a framework/guidance for all of the District's Registered Providers (RPs). The draft Tenancy Policy 2023 is the document under which Council tenancies will be managed.
- 4.3 Reference and a process for the use of Fixed Term/Flexible Tenancies is made in both documents should Registered Providers of the Council wish to use this tenancy

type in exceptional circumstances at a future date. The Council's previous Policy provided that Flexible Tenancies would be used. The revised policy seeks to make the use of Flexible Tenancies optional rather than mandatory. It is the Council's intention to grant Introductory Tenancies and then Secure Tenancies as a matter of course.

5.0 Financial Implications

5.1 There are no direct financial implications for the Council. However, there could be additional administrative costs should flexible tenancies be adopted in future as a legal timescale and review process would need to be developed and implemented.

6.0 Corporate Implications

6.1 Employment Implications

None directly

6.2 Legal Implications

The Localism Act 2011 states the Council must adopt a Tenancy Strategy and must have regard to it in exercising its housing management functions. The previous policy was adopted in 2016, and stated the Council would offer Flexible Tenancies. The Council did not, offering only introductory and secure tenancies. No tenants have been prejudiced by the above non-compliance; secure tenancies provide a higher tenure. The adoption of the revised policy, excluding Flexible Tenancies, rectifies the position.

6.3 Corporate Plan Implications

The draft Tenancy Strategy 2023 contributes towards the Council's Corporate Plan which aims to:

Help tackle anti-social behaviour and crime through strong and proportionate action; Support and safeguard the most vulnerable; With partners, encourage independent living and keep residents healthy and happy in their homes.

6.4 Risk Impact

There is no direct impact on Corporate or Service Delivery Risk Registers contained within this report.

7.0 Community Impact

Consultation

7.1 A consultation will be undertaken on the framework set out in the draft Tenancy Strategy 2023 and draft Tenancy Policy 2023.

7.2 The consultation period will start on Friday 3rd November and close on Friday 1st December 2023.

7.3 The responses and results of the consultation period will be analysed and the results presented to the Committee in early 2024

7.4 The consultation will operate as follows:-

- the draft Tenancy Strategy 2023 and draft Tenancy Policy 2023 documents will be posted on the Council's website
- as appropriate for each document tenants and the Council's tenant's voice group, council staff, registered providers and housing related support providers across the District will be contacted electronically (either by email or text) advising of these documents and where appropriate their comments are invited. Contact information will include a link to the draft Tenancy Strategy and draft Tenancy Policy documents with advice to read these two documents before answering the smart survey on these documents. Wherever possible and to meet green / paper reduction, the survey will be completed electronically online
- consultation via a smart survey will open to all tenants either digitally, in person with tenants at coffee mornings and via the tenants' voice group
- where there is no access to electronic communication, the Council can send manual (paper) instructions on how to access these documents or a paper copy
- a link to the draft Tenancy Strategy 2023 and Tenancy Policy 2023 will be included in all consultation information
- responses / comments on the survey can be left as part of the Council's Smart Survey
- comments on the surveys will be checked weekly
- evaluation of comments on both documents will be made at the end of the consultation period
- feedback from the consultation: The Smart Survey system can collate comments. The comments in turn will then be grouped together for feedback and put into a report for Members.

Equality and Diversity Impact

7.5 An Equality Impact Assessment has been completed and is attached to this Report (at Appendix C).

Social Value Impact

7.6 Wherever possible the Council would like to offer safe and secure homes to its tenants with the assurance of a degree of security of tenure.

Properties will be provided with the appropriate tenure for our tenants according to their circumstances to support them to maintain their tenancies and also make the best use of council stock.

Environmental Sustainability

7.6 Not applicable in the context of the report.

8.0 Conclusions

- 8.1 Both the draft Tenancy Strategy 2023 and draft Tenancy Policy 2023 require updating to ensure compliance with the Council's duties under the Localism Act 2011 and subsequent legislation.

9.0 Background Papers

Tenancy Strategy and Tenancy Policy 2016
Allocations Policy 2020

Draft

Tenancy Strategy 2023

Service Area: Housing Services

Head of Service: Paul Whittingham

Date: June 2023

Contents

Version Control.....	2
Approvals.....	2
Associated Documentation	2
1.0 Introduction	3
2.0 Context	3
3.0 Overview of Housing in South Derbyshire	5
4.0 New Supply of Affordable Homes.....	7
5.0 Guidance on Affordable Rents	8
6.0 Objectives	8
7.0 Tenure Offer.....	9
8.0 Fixed Term/Flexible Tenancy Reviews.....	11
9.0 Termination of Fixed Term/Flexible Tenancy.....	12
10.0 Suitable accommodation at the end of a Fixed Term/Flexible Tenancy	12
11.0 Appeals.....	12

Version Control

Version	Description of version	Effective Date
2.0	Draft	17 08 2023
2.0	Final	[16 11 2023]

Approvals

Approved by	Date
Housing and Community Services Committee - Draft	17 08 2023
Housing and Community Services Committee - Final	[16 11 2023]

Associated Documentation

Description of Documentation	
SDDC Tenancy Policy 2023	
SDDC Allocations Policy 2020	
SDDC Domestic Abuse Policy 2021	
Localism Act 2011	
Housing and Planning Act 2016	
Homelessness Reduction Act 2017	
Secure Tenancies (Victims of Domestic Abuse) Act 2018	



1.0 Introduction

- 1.1 The aim of the Tenancy Strategy (“Tenancy Strategy”) is to provide guidance to Registered Providers (“Registered Provider(s)”) on the type of tenancies the Council would like to see used in lettings in the South Derbyshire District Council area.
- 1.2 The Localism Act 2011 sought to expand the use of fixed term tenancies in the affordable housing sector in England. As the range of tenancy options increased, the Localism Act 2011 required local housing authorities in England to prepare and publish a ‘Tenancy Strategy’ setting out the matters to which the Registered Providers of social housing (including the Council as a provider) for its District are to have regard of in formulating policies to:
 - the type of tenancies they grant
 - the circumstances in which they will grant a tenancy of a particular kind
 - where they grant tenancies for a fixed period
 - the circumstances in which they will grant a further tenancy towards the end of an existing tenancy
- 1.3 Any Registered Provider seeking to utilise fixed term tenancies (and this also means and includes references to flexible tenancies and vice versa) will also have to publish a Tenancy Policy in order to be able to do so.
- 1.4 The original Tenancy Strategy (“Tenancy Strategy”) was adopted by the Council in 2016. As the objectives of the original strategy are the same, this new version represents a review and refresh to ensure that more recent legislation and local circumstances are updated within the previous document.
- 1.5 South Derbyshire District Council’s Housing Service will produce a Tenancy Policy setting out its own tenancy offer after the approval of the revised Tenancy Strategy.

2.0 Context

Legislative Changes

- 2.1 Since the introduction of the Localism Act 2011 other pieces of legislation have been enacted that impact on the type of tenancy that can be offered by Local Authorities and Registered Providers.



- 2.2 The **Housing and Planning Act 2016** sought to introduce fixed term tenancies for new local authority tenancies (with a small number of exceptions). By 2018 the Government stated that provision to end local authorities' powers to offer lifetime tenancies will not be enacted 'at this time.' If the Government changes this position, then a full review of the Tenancy Strategy will be required.
- 2.3 The **Homelessness Reduction Act 2017** added two new duties to the original statutory rehousing duty:
- A duty to prevent homelessness
 - A duty to relieve homelessness

The legislation extends entitlements to help, places a renewed focus on the prevention of homelessness and local joint working and has the potential to provide more client-focussed, personalised statutory homelessness services.

- 2.4 The **Secure Tenancies (Victims of Domestic Abuse) Act 2018** supports victims of domestic abuse in social housing to leave their abusive situation. The bill required local authorities when re-housing an existing lifetime social tenant or offering them a new sole tenancy in their own home, to grant a new lifetime tenancy if the local authority is satisfied that the tenant or a member of their household has been a victim of domestic abuse and the new tenancy is granted in connection with that abuse.

South Derbyshire District Council has its own Domestic Abuse Policy which came into effect in November 2021.

Local Policy

- 2.5 The Council's **Corporate Plan 2020-2024** sets out the Council's vision, values and priorities. The tenancy strategy links into one of these priorities:

Our People - Working with Communities and meeting the future needs of the District by:

- *Engaging with our Communities*
- *Supporting and Safeguarding the most Vulnerable*
- *Delivering Excellent Services.*

- 2.6 This Tenancy Strategy will provide guidance to Registered Providers with housing stock in South Derbyshire and will link into the Council's wider Strategic ambitions for housing in the District and should be read in conjunction with the Council's Housing Allocations Policy 2020 that operates within the District.



2.7 The Strategic Housing Market Assessment 2019-2028 (SHMA) identified that newly arising housing need was largely being met through the annual new supply across the District (new affordable homes plus vacancies in existing social rented stock). The main driver for the Government introducing fixed term tenancies was to increase the supply of affordable housing to those in genuine need. In South Derbyshire the relatively high level of supply reduces the need to introduce fixed term tenancies.

3.0 Overview of Housing in South Derbyshire

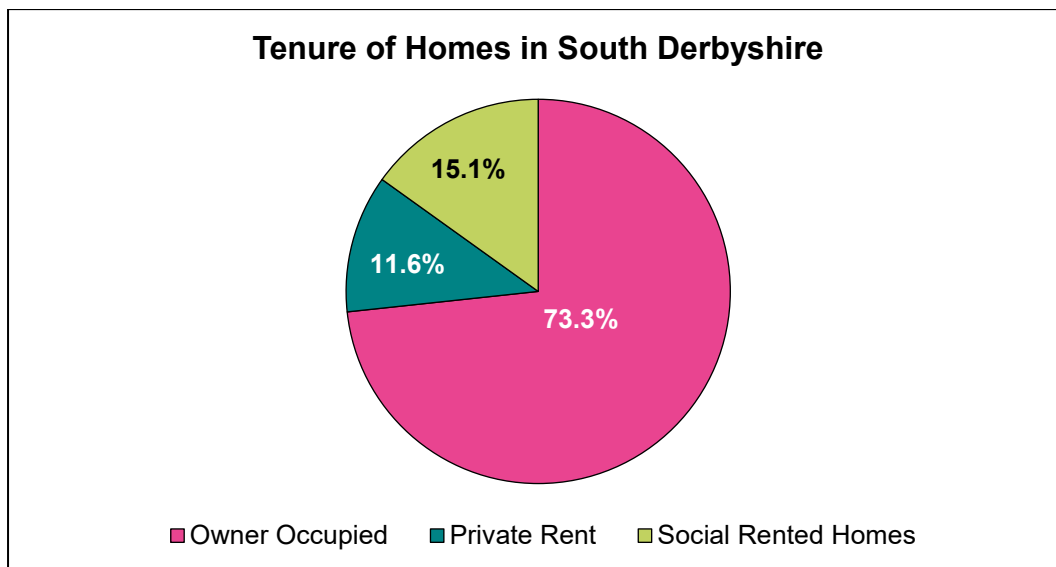
3.1 South Derbyshire is a largely rural District at the heart of the National Forest. It is one of the fastest growing areas in England with a current population of over 105,000. This is set to grow by nearly 15% between 2019 and 2028 to increase this total to over 120,000 people. The majority of people within the District live in the private sector (84.9%), with 73.8% owning their own home and 11.6% private renting. Only 15.1% of households live in social rented housing.

3.2 The table and pie chart below show the breakdown of housing by tenure types in each of the wards within South Derbyshire. There are currently 45,085 homes within the District.

Tenure of Homes in South Derbyshire

Ward Name	Owner		Private Rent		Social Rented		Total
	Occupied				Homes		
	n	%	n	%	n	%	
Aston	3,345	88.0%	211	5.6%	243	6.4%	3,799
Church Gresley	2,832	73.8%	600	15.6%	406	10.6%	3,838
Etwall	2,191	86.0%	188	7.4%	168	6.6%	2,547
Hatton	988	80.3%	118	9.6%	124	10.1%	1,230
Hilton	3,391	80.8%	564	13.4%	242	5.8%	4,197
Linton	2,113	82.7%	191	7.5%	252	9.9%	2,556
Melbourne	1,875	76.7%	321	13.1%	250	10.2%	2,446
Midway	2,859	75.1%	290	7.6%	656	17.2%	3,805
Newhall and Stanton	2,380	69.5%	437	12.8%	606	17.7%	3,423
Repton	1,751	85.3%	191	9.3%	111	5.4%	2,053
Seales	1,924	79.7%	215	8.9%	274	11.4%	2,413
Stenson	1,837	86.3%	212	10.0%	79	3.7%	2,128
Swadlincote	3,113	71.8%	548	12.6%	672	15.5%	4,333
Willington and Findern	2,576	90.0%	127	4.4%	158	5.5%	2,861
Woodville	2,958	70.8%	627	15.0%	591	14.2%	4,176
Total	36,133	73.3%	4,840	11.6%	4,832	15.1%	45,805





3.3 Affordable Housing: Over the last five years the Council have delivered new affordable housing through the following mechanisms:

- Negotiation of section 106 agreements for new housing developments.
- Supporting Registered Providers to delivery new homes with Homes England grant funding.
- Direct delivery of new Council Housing through acquisition and new build schemes on Council owned land.

3.4 Key facts about affordable homes in South Derbyshire:

- There are 4,733 social rented homes in the District (15.1% of all homes in the District).
- The Council owns 2,952 of these homes.
- Alongside the Council, there are 14 Registered Providers that have housing stock within the District of South Derbyshire.

Derwent Living	East Midlands Housing Group
Futures Housing Group	Guinness Partnership
Longhurst Group	Metropolitan Housing
Midland Heart	Midlands Rural
NCHA	Platform Housing
Riverside Housing	Sanctuary Housing
Trent & Dove	Trident Housing

- The Council works closely with its Registered Provider partners to provide affordable housing to people on the Council’s waiting list.
- The average weekly rent of a property at social rent is £78.20 for Council tenants and £85.88 for Registered Provider tenants.
- The average weekly cost of a property with rent set at affordable rent level is £98.40 (including service charges).



4.0 New Supply of Affordable Homes

- 4.1 The Council is committed to delivering new affordable homes across the District to meet newly arising need. The Strategic Housing Market Assessment (SHMA) indicates that there is a current shortfall of around 325 affordable rented homes per year which is largely being met by both new delivery and vacancies arising in existing social rented stock. The Council delivered 156 new affordable homes during 2021/2022 and are on track to deliver around 200 affordable homes by the end of the current financial year (2022/23).
- 4.2 The table below shows the numbers of affordable rented housing within each ward:

Submarket / Ward	Registered Providers and Council Stock
Derby Fringe Total	975
Aston Ward	257
Melbourne Ward	252
Repton Ward	140
Stenson Ward	77
Willington & Findern Ward	249
Northwest Fringe Total	498
Etwall Ward	207
Hatton & Hoon Ward	103
Hilton Ward	188
Swadlincote & South Fringe Total	3260
Church Gresley Ward	368
Linton Ward	258
Midway Ward	553
Newhall & Staton Ward	566
Seales Ward	253
Swadlincote Ward	655
Woodville Ward	607
TOTAL	4733



5.0 Guidance on Affordable Rents

- 5.1 Affordable housing includes social rent and affordable rent homes and ensures homes are provided to eligible households via the Council's Housing Register and Registered Provider's waiting lists to households whose needs are not met by the market.
- 5.2 Social rent homes are owned and managed by Local Authorities and Registered Providers for which formula rents are heavily influenced through the national rent regime. Social rents are typically 60-70% of market rents, whereas affordable rented homes may be as much as 80% of the local market rents.
- 5.3 Affordable rents are rents set at approximately 80% of market level rents and are intended to provide additional funding to support new build investment. All Registered Providers who have entered into development contracts with Homes England are required to charge affordable rents on newly completed schemes. Registered Providers with Homes England development contracts can also convert a proportion of their social rent re-lets to affordable rents.
- 5.4 The Council acknowledges that developments funded by Homes England grant will be delivered at affordable rent levels and that some Registered Providers will choose to convert existing socially rented homes to affordable rents when re-let. However, the Council will not support affordable rent on sites with or without Homes England funding if rent levels charged (including services charges) would be above the Local Housing Allowance levels and therefore unaffordable for tenants on low incomes.
- 5.5 Summary of the Council's position on Affordable Rent:
- Social rent is the preferred tenure for existing and new social housing in the District.
 - The Council encourages Registered Providers to use their discretion to set Affordable Rents below 80% of the market rent to ensure developments are affordable.
 - The Council does not wish to see households facing financial difficulties because their income is insufficient for their housing costs and other essential expenditure
 - The Council encourages Registered Providers to ensure that properties remain affordable for those subject to the benefit cap.
 - The Council seeks commitment from Registered Providers that a reasonable level of locally based reinvestment will result from charging Affordable Rent in the District.
 - The Council does not wish to see an area experience high concentrations of Affordable Rent conversions.

6.0 Objectives

- 6.1 The overall objective of the Tenancy Strategy is:



'To ensure that registered providers of affordable housing in South Derbyshire can use their properties as effectively as possible to provide homes for South Derbyshire residents in housing need.'

Although the preference of South Derbyshire District Council is for Registered Providers operating in the District to offer lifetime tenancies, the Council recognise that the use of fixed term/flexible tenancies can help meet the overall objective.

6.2 When utilising fixed term tenancies, the Council expects Registered Providers to:

- Help more people move on from affordable housing once they can sustain an alternative solution, such as home ownership or the private rented sector.
- Tackle under-occupation by giving local Registered Providers more opportunity to move people to smaller accommodation if they find themselves in a property that is too big for them. This will release larger properties for those that need them, including overcrowded households.
- Encourage tenants to take control of their lives by providing support when it is needed at a time of crisis but encouraging people to prepare for independence once their situation has improved by making it clear from the start of their tenancy that the arrangement is not necessarily a permanent one.

6.3 The Council is aware that Registered Providers often work across many local authority areas but where possible the Council would like to ensure all tenancy policies are transparent and so far as possible equitable to housing applicants. Registered Providers are expected to provide information and consult on their tenancy policies with both tenants and the Council.

7.0 Tenure Offer

7.1 The Council's preference is for Registered Providers to offer a **Lifetime Tenancy** to tenants. Historically, lifetime tenancies will be secure tenancies in the Council housing sector and assured tenancies in the Registered Provider sector.

7.2 The Council supports Registered Providers using **Introductory, Starter or Assured Shorthold Tenancies**. The foregoing tenancies are tenancies often for one year, which provides the tenant with a trial period. Tenants can then progress to a lifetime tenancy. These tenancies are a useful tool for landlords to address issues such as anti-social behaviour.



7.3 As an alternative to a lifetime tenancy, Registered Providers can offer a **Fixed Term/Flexible Tenancy**, if the circumstances of the case dictate that this would be the most appropriate course of action. If a Registered Provider intends to use a fixed term/flexible tenancy, it should be for a minimum period of five years. The Council believes this ensures social housing residents in South Derbyshire have a reasonable degree of security whilst also allowing Registered Providers to make best use of their stock without creating a significant administrative burden.

The Council would not support tenancies of less than five years.

7.4 The Council would not support the offer of a fixed term/flexible tenancy to vulnerable households. In these situations, a lifetime tenancy will be suitable. The Council supports this approach in cases such as, but not limited to, the following:

7.4.1 people with a long and enduring illness or condition of a serious nature and where a person's circumstances are unlikely to change.

7.4.2 older people in sheltered accommodation.

7.4.3 families with disabled children (where in the medical examiner's view a longer tenancy would provide stability).

7.4.4 people leaving care.

7.4.5 injured ex-service personnel.

7.5 Secure tenancy rights of existing housing association tenants should be protected so as not to discourage downsizing or movement within the housing association stock and cross-Borough/District mobility schemes.

7.6 In cases of domestic abuse where a tenant of social housing either flees their property or makes an application to turn their joint tenancy into a sole tenancy, the Council supports a 'like for like' approach. In all circumstances where a tenant has a lifetime tenancy, a tenancy with the same security of tenure must be offered if the Registered Provider is satisfied that the person or member of the person's household is or has been the survivor of domestic abuse carried out by another person and the Registered Provider grants a new tenancy for reasons connected with that abuse. This is in line with the Secure Tenancies (Victims of Domestic Abuse) Act 2018 and the Council expects Registered Providers to follow this approach as the legislation includes 'assured tenancies' within the definition of a 'qualifying tenancy' under the Act.

7.7 The Council supports properties being let on a **Temporary Licence** as a short-term agreement usually for no more than 12-months, which gives households experiencing homelessness the right to stay in a scheme such as hostel/supported housing until they are ready to be re-housed.



7.8 The Council supports properties being let at social and affordable rents to households on the Housing Register. The Council expects that all affordable rent properties the Council has nomination rights to, will be let to households in need, as prioritised via the Allocations Policy.

8.0 Fixed Term/Flexible Tenancy Reviews

8.1 The Council expects that those affordable Registered Providers who elect to offer Fixed Term/Flexible Tenancies clearly set out within their Tenancy Policy how they will review a fixed term/flexible tenancy.

8.2 The Council expects the tenancy review criteria will reflect South Derbyshire District Council's Allocation Policy when determining the suitability of the property.

8.3 In terms of tenancy conduct, it is important that the review of the fixed term/flexible tenancy is not used as an alternative to the usual remedies available to address breaches of tenancy. On that basis, the Council would not expect a landlord to decide not to renew a fixed term/flexible tenancy due to the way the tenant has conducted the tenancy unless formal possession action is already underway.

8.4 The Council expects tenancies will be automatically extended where one or more of the following apply:

8.4.1 The household make-up has not changed since the original allocation of the property.

8.4.2 A tenant or member of their household has a disability, substantiated by their doctor and the property has been substantially structurally adapted to meet the disability needs of that person.

8.4.3 A tenant or member of their household has a severe learning disability, substantiated by their doctor or social services.

8.4.4 A tenant is a registered foster carer for the Families and Young Persons Service and the tenancy needs to continue to enable them to perform this role.

8.5 The Council expects tenancies will not normally be extended where the property significantly does not meet the needs of the household. This may include one or more of the following:



- 8.5.1 The property is permanently under occupied by more than two-bedrooms.
- 8.5.2 The property has been substantially structurally adapted/extended or specifically built to meet the needs of a disabled tenant or member of their household who no longer resides at the property.

9.0 Termination of Fixed Term/Flexible Tenancy

- 9.1 The Council expects that tenants who have had a review of their tenancy will be given at least six (6) months' written notice that the tenancy is not to be extended. The Registered Provider must give the tenant adequate reasons in writing for the decision to end the tenancy and give information on the right to appeal.
- 9.2 Given the role of the Council in tackling homelessness, it is expected that affordable Registered Providers will allow a tenant to remain in their property at the end of the tenancy until a suitable alternative has been found. The Council expects the Registered Provider to offer advice and assistance, as well as financial support, such as rent deposit guarantee schemes, for those re-housed in the private rented sector or access to shared equity products to those interested in low-cost market housing.

10.0 Suitable accommodation at the end of a Fixed Term/Flexible Tenancy

- 10.1 The Council considers "suitable accommodation" means the following unless otherwise agreed with the tenant:
- 10.1.1 Where a tenant has children attending a local school the accommodation is within the catchment area of that school.
- 10.1.2 The accommodation meets the decent homes standard and the household will not over-occupy the property.
- 10.1.3 Where the tenant or a member of the household is a nominated carer of a relative who does not live with the carer that the accommodation is within a reasonable distance to ensure continuity of care. This includes ensuring that appropriate public transport is available if this is the current mode of transport used by the carer to visit the relative.

11.0 Appeals

- 11.1 The Registered Provider's Tenancy Policy must clearly set-out the process for the tenant to appeal a decision to terminate their tenancy. This should include:
- Advice on their right to appeal the decision and where they can seek support and assistance to help them prepare their appeal.



- The tenant should be given a minimum of 21 days to make an appeal after receipt of the Registered Provider's written decision not to extend the fixed term/flexible tenancy.
- A review should be carried out independently by a senior officer who has not been involved in the original decision.
- The senior officer should base their decision on the known facts at the time of the review. In some cases, they may need to ask the tenant for more information to help them make a decision.
- The senior officer should make a decision and write to the tenant explaining their reasons for it within 28 days of receipt of the written appeal.
- The tenant should be informed that if they are not happy with the outcome of the appeals process they will still have the right to recourse through the Courts.



Draft

Tenancy Policy 2023

Service Area: Housing Services
Head of Service: Paul Whittingham
Date: June 2023



Version Control

Version	Reason for review (review date/legislation/process changes)	Author (A) / Reviewer (R)	Effective date
1.0	Legislation Changes	Lyndsay Taylor (A)/Sally Damms (R)	31.10.2022
	Update of Tenancy Strategy 2016	Lyndsay Taylor (A)/Sally Damms (R)	31.10.2022

Approvals

Approved by (Committee/Leadership Team)	Date
Housing & Community Services Committee – Draft approval for consultation	17 08 2023
Housing & Community Services Committee – Final approval	[16 11 2023]

1.0 Content

Contents

Version Control.....	2
Approvals.....	2
1.0 Content	2
2.0 Introduction	3
3.0 Aims & Objectives	4
4.0 Local Context	4
5.0 Types of Tenancies to be offered	5
6.0 Succession.....	6
7.0 Supporting Tenants	8
8.0 Performance and Monitoring	8
9.0 Roles and Responsibilities	9
10.0 Sustainability Impact Assessment	9
11.0 Policy Review.....	10
12.0 Associated Documentation.....	10

2.0 Introduction

2.1 The Localism Act 2011 sought to expand the use of fixed term tenancies in the affordable housing sector in England. As the range of tenancy options increased, the Localism Act 2011 required local housing authorities in England to prepare and publish a Tenancy Strategy (“Tenancy Strategy”) setting out the matters to which the Registered Providers (“Registered Providers”) of social housing (including the Council as provider) for its District are to have regard of in formulating policies to:

- the type of tenancies they grant
- the circumstances in which they will grant a tenancy of a particular kind
- where they grant tenancies for a fixed period
- the circumstances in which they will grant a further tenancy towards the end of an existing tenancy

2.2 Since the introduction of the Localism Act 2011 new legislation has been enacted that impacts on the types of tenancies that should be offered by Local Authorities and Registered Providers, namely:

- The Housing & Planning Act 2016
- The Homelessness Reduction Act 2017
- The Secure Tenancies (Victims of Domestic Abuse) Act 2018

2.3 The Tenancy Strategy 2023 is based on The Localism Act 2011 and the new legislation as described in 2.2 above to allow affordable Registered Providers more freedom to:

- Continue to grant lifetime tenancies either for all or specific household groups/property types/locations;
- Provide new tenants with a fixed term/flexible tenancy (and this also means and includes references to flexible tenancies and vice versa) where it is believed to be more appropriate than a lifetime tenancy;
- Establish the length of the fixed term tenancy to be offered;
- Develop their own Tenancy Policy setting out the criteria to be issued in determining whether to issue a new tenancy at the end of any fixed term;
- Let new build homes or re-let of existing homes under the new affordable rent tenure, which allows for affordable Registered Providers to charge higher rent levels (up to 80% of market rents).

2.4 South Derbyshire District Council’s Tenancy Strategy (agreed by the Housing and Community Services Committee in **November 2023**) has been developed within the context of the Council’s overall Corporate Plan 2020-24 and its strategic priority:

“Our People - Working with Communities and meeting the future needs of the District by:

- *Engaging with our Communities*
- *Supporting and Safeguarding the most Vulnerable*
- *Delivering Excellent Services.*

2.5 With a retained landlord function South Derbyshire District Council Housing Services has a duty to publish a Tenancy Policy which describes the types of tenancies we will offer and the way in which these tenancies will be managed.

2.6 The Tenancy Policy has been developed with full regard to South Derbyshire District Council's Tenancy Strategy. The policy follows the principles and objectives of the Tenancy Strategy and should be read in conjunction with it.

2.7 This Tenancy Policy sets out:

- The types of tenancies the Council will offer
- The circumstances in which tenancies will be granted
- The process for reviewing tenancies
- How succession rights will be managed
- The Council's approach to tenancy sustainment

2.8 This policy applies to all new tenancies that commence from [date to be confirmed following consultation].

3.0 Aims & Objectives

3.1 The Council will issue tenancies that are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community and the efficient use of our housing stock.

3.2 The Tenancy Policy seeks to:

- Ensure our tenants and staff are aware of the types of tenancies offered
- Ensure that all our tenancies are transparent and fair
- Aid mobility and respond to the changing needs of our tenants
- Make best use of our housing stock especially by reducing under occupation and overcrowding and ensuring adapted homes are lived in by those who need them.
- Have regard to the Council's Tenancy Strategy
- Provide all tenants with the advice and support needed to be able to manage their tenancies satisfactorily

4.0 Local Context

4.1 South Derbyshire is a largely rural District at the heart of the National Forest. It is one of the fastest growing areas in England with a current population of over 105,000. This is set to grow by nearly 15% between 2019 and 2028 to increase this total to over 120,000 people. The majority of people within the District live in the private sector (84.9%), with 73.8% owning their own home and 11.6% private renting. Only 15.1% of households live in social rented housing.

4.2 There are currently 45,085 homes within the District.

Affordable Housing

4.3 Over the last five years the Council have delivered new affordable housing through the following mechanisms:

- Negotiation of section 106 agreements for new housing developments
- Supporting Registered Providers to delivery new homes with Homes England grant funding

- Direct delivery of new Council Housing through acquisition and new build schemes on Council owned land.

4.4 Key facts about affordable homes in South Derbyshire

- There are 4,733 social rented homes in the District (15.1% of all homes in the District)
- The Council owns 2,952 of these homes
- Alongside the Council, there are 14 Registered Providers that have housing stock within the District of South Derbyshire
- The Council works closely with its Registered Provider partners to provide affordable housing to people on the Council's waiting list

5.0 Types of Tenancies to be offered

5.1 Introductory Tenancies

- 5.1.1 New tenants will be introductory tenants for the first year of their tenancy. Their tenancies will become fixed term or secure tenancies at the end of this period provided the introductory tenancy's conditions have not been broken.
- 5.1.2 All introductory tenants will receive a tenancy agreement setting out the introductory tenancy period and indicating the type of tenancy to be granted at the end of the introductory period, subject to there having been no breach of the tenancy agreement during the introductory tenancy period.
- 5.1.3 New tenants who are transferring from another social or affordable home, whether with the Council or another social landlord, will not normally be offered an introductory tenancy if they are a secure or assured tenant or hold a fixed term tenancy.
- 5.1.4 At the end of a twelve-month introductory period, the tenant will usually be granted a lifetime tenancy, or in exceptional circumstances, a fixed tenancy. Alternatively, the Council may extend the tenant's introductory period, if the Council considers that the tenant would benefit from additional time to demonstrate that they can keep to tenancy terms or to clear rent arrears.
- 5.1.5 An introductory tenancy may be brought to an end if the tenancy terms are broken. This includes where tenants commit crime, or anti-social behaviour, or fail to pay their rent.

5.2 Secure/Lifetime Tenancies

- 5.2.1 Lifetime tenancies are intended for:
- 5.2.1.1 All existing tenants of South Derbyshire District Council ("the Council") or those of Registered Providers who currently have a lifetime tenancy agreement.
 - 5.2.1.2 New lettings to designated supported older person accommodation.
 - 5.2.1.3 Tenants who have successfully completed their introductory tenancy unless the Council considers it appropriate to grant a fixed term tenancy.

5.3 Temporary Agreements

- 5.3.1 These agreements are short-term usually for no more than 12 months, which give a tenant the right to stay in a scheme such as hostel/supported or temporary housing until they are ready to be re-housed

5.4 Fixed Term Tenancies

- 5.4.1 A Fixed Term tenancy is a tenancy for a fixed period, as created under the Localism Act 2011. Although it contains many features of a secure tenancy, the main difference is that a secure tenancy can only be brought to an end by the landlord if a court order is granted, and the court considered possession reasonable. With a Fixed Term tenancy, the court must award the landlord possession as long as the fixed term has expired, the correct notices have been served and any appeal has been considered.
- 5.4.2 The Council will not grant Flexible or Fixed Term Tenancies and will grant a Secure or Lifetime Tenancy for all tenants following the successful completion of the introductory tenancy period.
- 5.4.3 Older people living in designated supported accommodation schemes will be offered secure lifetime tenancies.

6 Succession

When a tenant dies the tenancy can sometimes be passed on to another member of the family and this is known as succession. There are different succession rights in law for different types of tenancies and this is known as a statutory succession.

- 6.1 Secure Tenancies Granted before 1st April 2012.

- 6.1.1 The law allows for one statutory succession to either:

- 6.1.1.1 The deceased tenant's spouse or civil partner provided they were residing with the deceased tenant at the time of their death as their main home, *or*
- 6.1.1.2 A member of the deceased tenant's family who had been residing with the deceased tenant for twelve months prior to the tenant's death as their main home.

- 6.1.2 Family members are defined as, parents, grandparents, children (including adopted children), grandchildren, siblings, uncles, aunts, nephews and nieces and partners. The law does not allow for joint succession, so if there are a number of potential joint successors they need to choose who will take over the tenancy. If they cannot choose, the landlord is able to do so. Where the successor is not a spouse or civil partner but is a member of the family and the property is too large for them, they can be granted the tenancy of a smaller property which meets their needs.

- 6.2 Secure Tenancies Granted on or after 1st April 2012.

- 6.2.1 The law allows one statutory succession to a spouse or civil partner of the deceased tenant, who was living with them at the time of the tenant's death as their main home.

6.3 Successor is unable to remain.

6.3.1 Where the property is too large, i.e., underoccupied for the statutory successor the Council will require them to move to an alternative property which meets their needs unless their circumstances are exceptional to ensure best use of Council housing stock. Schedule 2 to the Housing Act 1985 sets out the “Grounds” on which the Council can seek to evict a secure tenant. Only a court can decide whether a particular Ground is established and whether to issue a Possession Order. The Council would consider Ground 15A of Schedule 2 (the successor Ground). The housing need will be assessed in line with the Council’s Bedroom Standard in the Allocations Policy. The statutory successor can bid for alternative properties for six months after which time if no property is selected a direct offer will be made.

6.4 Discretionary Succession.

6.4.1 In certain circumstances if the tenant dies and there has already been one statutory succession at the property, the Council may allow a person or household to remain in the property. To be eligible the applicant must:

6.4.1.1 Be a spouse or civil partner of the deceased secure tenant and have lived with them as their main home for a minimum of one year, or

6.4.1.2 Be a family member defined as; parents, grandparents, adult children, grandchildren and brothers and sisters who have lived with the deceased secure tenant as their main home for a minimum of three years.

6.4.2 Where there is more than one person living in the household who is eligible for a discretionary succession, the Council expects the household to decide who should benefit. Provided that person meets the criteria outlined here, the Council will generally respect this choice. However, the final decision will be agreed by the Council.

6.4.3 Discretionary successors will only be able to remain in the original home if it is the size needed in accordance with the Council’s Bedroom Standard in the Housing Allocation Policy. If the discretionary successor is required to move they will be able to bid for an alternative property for six months after which time one direct offer will be made

6.4.4 If appropriate a new fixed term tenancy could be considered (following the successful completion of an introductory tenancy). This may be at the original home or another property depending on the size of property needed which will be assessed under the Council’s Bedroom Standard or any equivalent standard set out in the Housing Allocation Policy. If a property other than the original home is offered the applicant will be able to bid for a period of six months after which time one direct offer will be made. Upon expiry of a fixed term tenancy a further fixed term tenancy may be offered in line with the Tenancy Policy.

7 Supporting Tenants

- 7.1 The Council is committed to ensuring that tenants are well informed about their rights, responsibilities and how to access services. Information is available on the Council's website. The Council will consult tenants on all matters relating to the management of their homes.
- 7.2 The Housing Solutions Team provides advice and assistance to tenants who wish to move home.
- 7.3 Support for new tenants includes:
- 7.3.1 Information at the outset on what is expected of a tenant throughout their tenancy. For fixed term tenancies this will include information on when a new tenancy will be offered.
- 7.3.2 Visits to introductory tenants within six weeks of the start of their tenancy to ensure they have settled into their new home and to provide more detailed information on available services.
- 7.3.3 Regular communication with Housing Officers to make agreements to pay rent and arrears.
- 7.3.4 Tenancy support, welfare benefit and debt management advice through our Tenancy Sustainment Officer.
- 7.3.5 Housing related support through our Careline Support Co-ordinators.
- 7.3.6 Close working with the Department for Work & Pensions to ensure Housing Related benefit claims are assessed and paid promptly.
- 7.3.7 Referrals to appropriate agencies for tenants with social or mental health issues to help them to live independently.
- 7.4 Ending a tenancy and seeking possession for a breach of tenancy conditions is always a last resort and is only ever considered after all available support has been offered but has been declined or failed. Much of the support detailed above is designed to provide support at an early stage and prevent eviction. Even once possession is being pursued, support will continue to be offered, tenants will be clearly advised of the processes being followed, the seriousness of the situation and their legal rights.

8 Performance and Monitoring

The following local performance indicators will be used to monitor effectiveness of this policy:

- 8.1 Number of failed Introductory Tenancies within year.

9 Roles and Responsibilities

- **Consulted:**
- **Informed:**

Responsible (<i>Service area who performs an activity or does the work</i>)	Accountable (<i>Service area which is ultimately accountable for the service being provided</i>)
<ul style="list-style-type: none"> • JOB ROLE/SERVICE AREA Housing Officer: <ul style="list-style-type: none"> • Granting of tenancies • Reviewing tenancies Tenancy Services Manager: <ul style="list-style-type: none"> • Hearing appeals • Approval of renewals if required • Complaints 	<ul style="list-style-type: none"> • JOB ROLE/SERVICE AREA Head of Housing <ul style="list-style-type: none"> • Ensuring compliance with service & corporate objectives • Complaints
Consulted (<i>Services who need to be engaged and contribute to the policy</i>)	Informed (<i>Services or stakeholders that needs to be informed of the policy</i>)
<ul style="list-style-type: none"> • JOB ROLE/SERVICE AREA Tenants Other Housing Staff outside of Tenancy Services	<ul style="list-style-type: none"> • JOB ROLE/SERVICE AREA/ STAKEHOLDER Council Staff

10.0 Sustainability Impact Assessment

Our Environment	Potentially positive impact (Y/N)	Potentially negative impact (Y/N)	No disproportionate impact (Y/N)	Sustainable Assessments findings <i>(Please utilise the guidance provided for assessment findings.)</i>
Improve the Environment of the District			Y	N/A
Tackle Climate Change			Y	N/A
Enhance the attractiveness of South Derbyshire			Y	N/A
Our People				
Engage with Communities			Y	N/A
Supporting and Safeguarding the most vulnerable	Y			Vulnerable demographics eg elderly/disabled will have security of tenure without fear of having to move from their home at the end of a tenancy
Deliver Excellent Services	Y			Provide properties at the correct tenure for our tenants according to their circumstances to support them to maintain their tenancies and also make the best use of council stock
Our Future				
Develop Skills and careers			Y	N/A
Support economic growth and infrastructure			Y	N/A
Transforming the Council			Y	N/A

11.0 Policy Review

This Tenancy Policy will be subject to regular review and any changes will be agreed by the Housing & Community Services Committee. The Tenancy Policy will be reviewed every three years or sooner if the Tenancy Strategy 2023 is amended or circumstances and legislation change significantly.

12.0 Associated Documentation

Description of Documentation	Document Reference
SDDC Tenancy Strategy 2023	
SDDC Allocations Policy 2020	
SDDC Domestic Abuse Policy 2021	
Localism Act 2011	
Housing and Planning Act 2016	
Homelessness Reduction Act 2017	
Secure Tenancies (Victims of Domestic Abuse) Act 2018	

REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	28 SEPTEMBER 2023	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:	DEMOCRATIC SERVICES 01283 595 5889/5722 democraticservices@southderbyshire.gov.uk	DOC:
SUBJECT:	COMMITTEE WORK PROGRAMME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

1.1 That the Committee considers and approves the updated work programme.

2.0 Purpose of Report

2.1 The Committee is asked to consider the updated work programme.

3.0 Detail

3.1 Attached at Annexe 'A' is an updated work programme document. The Committee is asked to consider and review the content of this document.

4.0 Financial Implications

4.1 None arising directly from this report.

5.0 Background Papers

5.1 Work Programme.

Housing and Community Services Committee – 28 September 2023 Work Programme

Work Programme Area	Date of Committee meetings	Contact Officer (Contact details)
Reports Previously Considered By Last 5 Committees		
Housing Regulator -new tenant satisfaction measures	02 February 2023	Paul Whittingham Head of Housing (01283) 595984
HRA Budget and Rent Setting 23/24 and Financial Plan to 2033	02 February 2023	Charlotte Jackson Head of Finance (01283) 595901
Home Upgrades Grant Phase 2 Bid	02 February 2023	Matt Holford Head of Environmental Services (01283) 595856
Beat the Street Update	09 March 2023	Sean McBurney (Head of Cultural & Community Services) 07435 935050
Corporate Plan 2020-24: Performance Report (2022-2023 Quarter 3 – (1 April to 31 December)	09 March 2023	Clare Booth Corporate Performance & Policy Officer (01283) 595788
Council House Letting and Void Properties	25 April 2023	Paul Whittingham Head of Housing (01283) 595984
Corporate Plan 2020-24: Performance Report (2022-2023 Quarter 4 – (1 April to 31 March)	01 June 2023	Clare Booth Corporate Performance & Policy Officer (01283) 595788
Council ASB Policy Review	01 June 2023	Sean McBurney (Head of Cultural & Community Services) 07435 935050

Parks and Green Spaces Policy (Service Standards)	01 June 2023	Sean McBurney (Head of Cultural & Community Services) 07435 935050
Corporate Plan 2020-24: Performance Report 2023-2024 Quarter 1 – (1 April to 30 June)	17 August 2023	Clare Booth Corporate Performance & Policy Officer (01283) 595788
Provisional Programme of Reports To Be Considered by Committee		
Tenancy Strategy and Tenancy Policy	28 September 2023	Paul Whittingham Head of Housing (01283) 595984
Budget Setting Approach 2024-25	28 September 2023	Charlotte Jackson (Head of Finance) 07770 085452
Update to Parks and Green Spaces Service Standards Policy	28 September 2023	Chris Worman (Parks and Green Spaces Manager) 01283) 595774
Sharpe's Pottery Heritage and Arts Trust (Exempt)	28 September 2023	Chris Smith (Communities Manager) 01283) 595924
Long Term Lease of Shardlow Allotments to Shardlow & Great Wilne Parish Council (Exempt)	28 September 2023	Chris Worman (Parks and Green Spaces Manager) 01283) 595774
Regulator of Social Housing Proposed Consumer Standards	28 September 2023	Paul Whittingham Head of Housing (01283) 595984
Corporate Plan 2020-24: Performance Report (2023-2024 Quarter 2 – (1 July to 30 September)	16 November 2023	Clare Booth Corporate Performance & Policy Officer (01283) 595788
Fisher Close Social Housing Development	16 November 2023	Paul Whittingham Head of Housing (01283) 595984

Active Schools Partnership – School Swimming Partnership	16 November 2023	Sean McBurney (Head of Cultural & Community Services) 07435 935050
Health and Housing Strategy 2021-23	16 November 2023	Eileen Jackson Strategic Housing Manager (01213) 595763
Voids and Relet Update	16 November 2023	Paul Whittingham Head of Housing (01283) 595984
SHDF Wave 1 + 2	16 November 2023	Paul Whittingham Head of Housing (01283) 595984
Bevin Boys Miners Memorial	08 January 2024	Sean McBurney (Head of Cultural & Community Services) 07435 935050
Community Grant Fund updates	08 January 2024	Sean McBurney (Head of Cultural & Community Services) 07435 935050
Beat the Street Update	08 January 2024	Sean McBurney (Head of Cultural & Community Services) 07435 935050
Foundation/Adaptations Policy Review	08 January 2024	Paul Whittingham Head of Housing (01283) 595984
Procurement of IT Software	08 January 2024	Paul Whittingham Head of Housing (01283) 595984
Draft 2024-25 General Fund Revenue Budget	08 January 2024	Charlotte Jackson (Head of Finance) 07770 085452
Draft 2024-24 HRA Budget	08 January 2024	Charlotte Jackson (Head of Finance) 07770 085452

Draft Capital Programmes 2024-25 to 2028-29	08 January 2024	Charlotte Jackson (Head of Finance) 07770 085452
Surveillance Policy Update	01 February 2024	Sean McBurney (Head of Cultural & Community Services) 07435 935050
Revitalising Rosliston Forestry Centre Update	01 February 2024	Sean McBurney (Head of Cultural & Community Services) 07435 935050
Volunteering Policy	01 February 2024	Sean McBurney (Head of Cultural & Community Services) 07435 935050
Development and refurbishment Options Appraisals	01 February 2024	Paul Whittingham Head of Housing (01283) 595984
Policy on Access to Allotments	01 February 2024	Sean McBurney (Head of Cultural & Community Services) 07435 935050
Corporate Plan 2020-24: Performance Report (2023-2024 Quarter 3 – (1 October to 31 December)	07 March 2024	Clare Booth Corporate Performance & Policy Officer (01283) 595788
Tenant Satisfaction Survey	07 March 2024	Paul Whittingham Head of Housing (01283) 595984
Stock Condition Survey	07 March 2024	Paul Whittingham Head of Housing (01283) 595984
Leisure Facilities Strategy	TBC	Sean McBurney (Head of Cultural & Community Services) 07435 935050