

Summary note: Social Housing White Paper – The Charter for Social Housing Residents

The stated aim of the new **Charter for Social Housing Residents** is to “raise the standard of social housing and meet the aspirations of residents throughout the country.”

The Government says it will **strengthen the Regulator of Social Housing** to create **new consumer standards** for landlords to be measured against. These appear to be in line with how the regulator measures governance and financial standards (G and V ratings). This will be monitored by a new ‘arm’ of the regulator which will “proactively regulate on consumer standards including quality of homes, repairs, meaningful engagement with tenants and complaints handling.”

Inside Housing has highlighted that this was a role previously delivered by the Tenants Service Authority until it was scrapped in 2010.

There will be a big focus on transparency with a new ‘**access to information scheme**’ effectively operating in the same way as the Freedom of Information Act.

The Housing Ombudsman will also get more powers on tackling complaints while the Decent Homes Standard will be reviewed

The Charter covers seven key areas that social housing tenants should expect:

1. **To be safe in your home.** We will work with industry and landlords to ensure every home is safe and secure.
2. **To know how your landlord is performing,** including on repairs, complaints and safety, and how it spends its money, so you can hold it to account.
3. **To have your complaints dealt with promptly and fairly,** with access to a strong Ombudsman who will give you swift and fair redress when needed.
4. **To be treated with respect,** backed by a strong consumer regulator and improved consumer standards for tenants.
5. **To have your voice heard by your landlord,** for example through regular meetings, scrutiny panels or being on its Board. The Government will provide help, if you want it, to give you the tools to ensure your landlord listens.
6. **To have a good quality home and neighbourhood to live in,** with your landlord keeping your home in good repair.
7. **To be supported to take your first step to ownership,** so it is a ladder to other opportunities, should your circumstances allow.

Below we have provided a summary on each of these areas.

To be safe in your home

The government wants to put tenants “back at the heart of building safety” following the Grenfell tragedy.



The Government has already:

- Made £400m available to social landlords to fund the removal of unsafe cladding and announced a further £1bn of grant funding to cover the costs of remediating unsafe blocks
- Published a Building Safety Bill
- Published a Fire Safety Consultation on Government proposals to implement the recommendations in the Grenfell Tower Inquiry's Phase 1 report
- Supported a Social Sector (Building Safety) Engagement Best Practice Group
- Published a Fire Safety Bill.

Now it will:

- Legislate so that safety is part of the Regulator of Social Housing's new consumer regulation role
- Legislate to require social landlords to identify a nominated person responsible for complying with their health and safety requirements
- Expect the Regulator of Social Housing to prepare a Memorandum of Understanding with the Health and Safety Executive to ensure effective sharing of information with the Building Safety Regulator
- Launch a consultation on mandating smoke and carbon monoxide alarms in social housing
- Consult on measures to ensure that social housing residents are protected from harm caused by poor electrical safety
- Build on the work of the Social Sector (Building Safety) Engagement Best Practice Group, supporting the development of statutory and **good practice guidance on engaging residents in all tenures on safety issues.**

To know how your landlord is performing

The White Paper says that the connection between landlords and communities has become stained – with the White Paper sighting large executive salaries. The government wants to redress the balance by creating a strong connection between landlords and tenants to ensure transparency and accountability.

Government will:

- Expect the Regulator of Social Housing to – as part of its expanded role – to bring in a **new set of tenant satisfaction measures for all landlords** on things that matter to tenants.

A draft set of measurements has been prepared as part of the White Paper and will be developed further in consultation with the sector – see Appendix one. **Landlords will also have to publish CEO and executive salaries** (relative to the size of the landlord) and management costs.

- Introduce a new **access to information scheme** – which will be in line with the **Freedom of Information Act** – for social housing tenants so that information relating to landlords is easily accessible
- Ensure landlords provide a clear breakdown of how their income is being spent, including levels of executive salaries, to be published alongside tenant satisfaction measures
- Require landlords to identify a senior person in their organisation who is responsible for ensuring they comply with the consumer standards set by the Regulator of Social Housing
- Expect landlords to report to every tenant on such matters at least once a year, **if not continuously, using technology (the use of apps is referenced in the paper).**

To have your complaints dealt with promptly and fairly

Tenants have reported to government that making a complaint can be difficult and takes too long.

The Government has already:

- Set out in the Building Safety Bill how it will speed up access to the Housing Ombudsman by removing the need for tenants to go to a ‘designated person’ or wait eight weeks before approaching them – removing the ‘democratic filter’
- Expanded the Housing Ombudsman service which is aiming to halve its decision times by March 2022
- Increased the Housing Ombudsman’s powers to take action against landlords where needed. The Housing Ombudsman has published a new Complaint Handling Code and guidance on new orders that will be implemented from 1 January 2021.

Now it will:

- Support improved complaint handling by landlords and hold them to account through **stronger action by the Housing Ombudsman.**

Landlords will be required to comply with the Housing Ombudsman’s Complaint Handling Code, ensuring that they have good processes in place to respond swiftly and effectively to complaints. Landlords have been asked to self-assess against the Code by 31 December 2020 and publish the results.

- From March 2021, **reports on the complaints** the Housing Ombudsman has handled for individual landlords, as well as the determinations on individual cases, **will be published on the Housing Ombudsman's website**
- Keep the Housing Ombudsman's powers, and compliance with them, under review and consider ways to strengthen them, including the option of legislation to put the Complaint Handling Code on a statutory footing
- Run an **awareness campaign so social housing residents know their rights**, are confident in navigating their routes to complain, and are aware of how to escalate to get redress where needed
- Ensure lessons are learned and maintain residents' confidence in the Housing Ombudsman Service through the appointment by the Ombudsman of an independent reviewer by March 2021 to examine any complaints made about the service that the Housing Ombudsman provides
- Formalise and strengthen the relationship between the Regulator of Social Housing and the Housing Ombudsman by introducing a statutory requirement for both bodies to co-operate with each other in undertaking their responsibilities in holding landlords to account
- Make the Housing Ombudsman a statutory consultee for any proposal concerning changes to the Regulator of Social Housing's economic and consumer standards and make the Regulator of Social Housing a statutory consultee for any changes to the Housing Ombudsman Scheme.

To be treated with respect

While the government feels that the economic regulation of social landlords has been a success, it believes that consumer regulation does not go far enough to ensure that landlords will deliver on the Charter it is setting out.

The new consumer regulation function within the Regulator of Social Housing will change that.

The Government will:

- Transform the Regulator of Social Housing so it proactively monitors consumer standards
- Remove the 'serious detriment test' and introduce routine inspections for the largest landlords (with over 1,000 homes) every four years
- Change the Regulator of Social Housing's objectives to explicitly cover safety and transparency, and work with it to review its consumer standards to ensure they are up to date

- Give the Regulator of Social Housing the power to publish a Code of Practice on the consumer standards to be clearer on what landlords are required to deliver
- Strengthen the Regulator of Social Housing's enforcement powers to tackle failing landlords and to respond to new challenges facing the sector, by removing the cap on the level of fines it can issue, introducing Performance Improvement Plans for landlords failing to comply, reducing the notice period for surveys on the condition of properties, and introducing a new power to arrange emergency repairs if needed where a survey uncovers evidence of systemic landlord failures
- Make it explicit that provisions in contracts between local authorities and Arms Length Management Organisations or Tenant Management Organisations would be deemed void if they hindered the Regulator of Social Housing in its exercise of its powers
- Review the statutory Right to Manage guidance
- Set out an expectation for all landlords to self-refer breaches with the regulatory standards
- Strengthen the Regulator of Social Housing's powers to provide robust economic regulation of private registered providers
- Require the Regulator of Social Housing to set up an Advisory Committee to provide independent and unbiased advice on discharging its functions.

A list of all the changes to the regulatory regime – along with a plan of how the Regulator will need to change its onset – is set out in Appendix two (lifted from Annex A of the White Paper). Many of these changes will require legislation.

To have your voice heard

There is good work being done across the sector (TPAS is referenced), but Government feels performance is inconsistent – with examples of tenants feeling patronised, ignored or treated with disrespect.

The Government will:

- Expect the Regulator of Social Housing to require landlords to seek out best practice and consider how they can continually improve the way they engage with social housing tenants.

There is a focus in the White Paper on tackling loneliness and ensuring that tenant-led engagement activities linked to Covid-19 can continue.

- Deliver a new opportunities and empowerment programme for social housing residents, to support more effective engagement between landlords and residents, and to give residents tools to influence their landlords and hold them to account

- Review professional training and development to ensure residents receive a high standard of customer service.

To have a good quality home and neighbourhood to live in

While generally social housing is seen to deliver well designed, decent homes and good neighbourhoods some tenants have reported that their communities have been let down by poor neighbourhood management, upkeep of buildings and quality of shared spaces.

During lockdown some social housing tenants have struggled to find green spaces to exercise and others have had to deal with loneliness, isolation and ASB.

The Government has already:

- Announced the Green Homes Grant for 2020/21 which will fund up to two thirds of the cost of hiring tradespeople to upgrade the energy performance of homes
- Announced a £50m demonstrator project to support the decarbonisation of social housing over 2020/21
- Published a 25 year Environment Plan committing to connect people with the environment to improve health and wellbeing
- Encouraged developments that promote health and wellbeing through the National Planning Policy Framework and National Design Guide
- Announced a consultation through the Planning for the Future White Paper on proposals to enable more and better green space in development. Committed to expanding access to mental health services through the NHS Long Term Plan
- Acted to tackle segregation and stigmatisation through the planning system.

Now it will:

- Review the Decent Homes Standard to consider if it should be updated, including how it can better support the decarbonisation and energy efficiency of social homes, and improve communal and green spaces
- Continue to engage with the latest evidence on the impact of housing conditions on health, including Covid-19 transmission, and actively consider options to mitigate these impacts
- Review professionalisation to consider how well housing staff are equipped to work with people with mental health needs and encourage best practice for landlords working with those with mental health needs

- Clarify the roles of agencies involved in tackling anti-social behaviour and signpost tenants to those agencies who can give them the most appropriate support and assistance when faced with antisocial behaviour
- The Government will expect the Regulator of Social Housing to review and amend its regulatory standards to make it clear that landlords should have a policy setting out how they should tackle issues surrounding domestic abuse
- Consider the results of the allocations evidence collection exercise findings to **ensure that housing is allocated in the fairest way possible** and achieves the best outcomes for local places and communities.

To be supported to take your first step to ownership

The Government is determined to increase the supply of new and 'beautiful' social homes – and to ensure that as many social tenants as possible have the opportunity to buy a home of their own. This section of the report highlights policies and funding currently in place to deliver on that ambition.

To increase the supply:

- Built over 486,600 new affordable homes since 2010, including 142,400 for social rent
- Announced our new £11.5bn Affordable Homes Programme that will deliver up to 180,000 new homes
- Announced a new £3bn Affordable Homes Guarantee Scheme
- Removed the cap on local authority borrowing to fund housebuilding
- Consulted on whether greater flexibilities can be offered around how local authorities can use receipts from Right to Buy sales
- Supported community-led housebuilding through the community housing fund
- Announced Government will consult on further guidance to provide clarity on rural exception sites policy, to ensure they are used to their full potential.

To ensure that more social tenants have the opportunity to buy a home:

- Introduced a new shared ownership model
- Announced that around half of the homes delivered by the new Affordable Homes Programme will be for affordable home ownership
- Announced a new Right to Shared Ownership, meaning that most new grant-funded housing association homes for rent will give residents the opportunity to purchase a 10% (or more) stake in their home and to purchase further shares in future
- Launched a pilot of Voluntary Right to Buy in the Midlands

- Amended the National Planning Policy Framework and published a new national design guide to emphasise the importance of beauty and good design
- Emphasised through our new National Design Guide the importance of building beautiful and well-designed social homes.

Appendix one: Draft tenancy satisfaction measures

Box A: Draft Tenant Satisfaction Measures	
Theme	Draft tenant satisfaction measures
Keeping properties in good repair	Decent Homes Standard compliance
	Responsive repairs completed right first time
	Tenant satisfaction with landlord's repairs and maintenance service
Maintaining building safety	Compliance with health and safety obligations: <ul style="list-style-type: none"> • Gas safety • Electrical safety • Fire safety • Asbestos • Water safety • Lift safety
	Tenant satisfaction with the health and safety of their home
Effective handling of complaints	Number of complaints relative to the size of the landlord
	% of complaints resolved within agreed timescale
	Tenant satisfaction with landlord's complaints handling
Respectful and helpful engagement	Number of complaints relating to fairness and/or respect, relative to the size of the landlord
	Tenant satisfaction that their landlord listens to their views and takes notice of them
	Tenant satisfaction with landlord's engagement with tenants
Responsible neighbourhood management	% of communal areas meeting the required standard
	Number of complaints relating to communal areas, relative to the size of the landlord
	Tenant satisfaction with landlord actions to keep communal areas clean and safe
	Tenant satisfaction with landlord contribution to the neighbourhood associated with their home
	Number of complaints relating to anti-social behaviour, relative to the size of the landlord
	Tenant satisfaction with landlord's handling of anti-social behaviour
Overall	Tenant overall satisfaction with the service their landlord provides

Appendix two: Key measures for changing the regulatory regime for social housing

Government will:

- Work with the regulator to establish a proactive consumer regulation regime with active oversight of landlord performance, whilst maintaining the principle of co-regulation
- This will include:
 - Introducing routine inspections for the largest landlords (with over 1,000 homes) with the aim of doing so every four years, to obtain assurance from landlords that they are complying with the consumer standards
 - Specific, reactive inspections and/or investigations where systemic issues of concern are brought to the regulator by tenants or their representatives, the Housing Ombudsman or others
 - Published findings from these investigations and inspections where a landlord is found non-compliant with the regulator's standards
- Legislate to remove the 'serious detriment test' as soon as Parliamentary time allows, to eliminate barriers to the regulator adopting a proactive approach to monitoring and oversight of landlord performance on consumer issues
- Change the regulator's objectives to explicitly cover safety and transparency, and expect the regulator to review its consumer standards to ensure they are up to date and deliver its revised objectives
- Legislate to give the regulator a power to publish a code of practice on the consumer standards to be clearer on what landlords are required to deliver
- Expect the regulator to bring in a set of tenant satisfaction measures for all landlords on the things that matter to tenants, and expect landlords to report to every tenant on such matters at least once a year, if not continuously using technology
- Legislate to place an obligation on landlords to identify and publicise a senior named person in their organisation who is responsible for ensuring compliance with their health and safety obligations
- Expect the regulator to require landlords to identify a 'responsible person' for consumer standards compliance, as part of a wider requirement to provide greater clarity on the roles and responsibilities of senior staff
- Introduce a new access to information scheme for social housing tenants of housing associations and other private registered providers of social housing so that information relating to landlords is easily accessible to tenants
- Expect the regulator to require landlords to evidence how they have sought out and considered ways to improve engagement with tenants

- Legislate to strengthen the regulator’s enforcement powers to tackle failing landlords and to respond to new challenges, including:
 - Giving the regulator the power to require a Performance Improvement Plan
 - Reducing the notice period to survey homes
 - Giving the regulator the power to arrange emergency repair work and recoup costs from the landlord where, following a survey, there is evidence of systemic landlord failure and other regulatory measures have not worked
 - Removing the requirement to ask the Secretary of State’s approval to use its own staff to carry out inspections; and
 - Removing the cap on the level of fines the regulator may charge.
- Ensure that local authorities are held to account for the performance of service provided by an Arms Length Management Organisation or Tenant Management Organisation, by:
 - Asking stockholding local authorities that contract out management services to Arms Length Management Organisations to review their contracts to ensure they do not prevent the regulator from taking action in the event of non-compliance with its standards
 - Making it explicit that provisions in contracts between ALMOs or TMOs would be deemed void if they hindered the regulation in its exercise of its powers; and
 - Working with the regulator to set out an expectation for local authorities to self-refer to ensure that issues of concern to tenants are dealt with as quickly as possible
- Expect the regulator to review and amend its regulatory standards to make it clear that landlords should have a policy setting out how they should tackle issues surrounding domestic abuse, working with other agencies as appropriate
- Legislate to strengthen the relationship between the Housing Ombudsman and the regulator, building on the current Memorandum of Understanding to ensure that they can exchange information quickly and effectively to provide better protection for tenants
- Maintain the robust economic regulation regime that is already working well and make sure the whole system is cohesive and balanced. This will include ensuring that changes to consumer regulation do not undermine economic regulation
- Refine the regulator’s powers to ensure it has the right tools to deliver its economic regulation function effectively with an evolving sector. This includes:
 - Requiring landlords to notify the regulator of any change in control and refining the definition of ‘non-profit’ providers; and
 - Introducing a ‘look-through’ power so the regulator can follow money paid outside of the regulated sector to ensure probity

- Delivering these changes is essential to ensuring that the needs of tenants are embedded in the culture of all landlords, and will require significant change to the structure and expertise of the regulator, from senior leadership level downwards. To ensure that the regulator is equipped to deliver a proactive regulatory regime effectively, we will:
 - Enable the regulator to set up an entirely new function, and make sure it is resourced and able to recruit the right new staff, including at senior leadership level, that have the right expertise in consumer regulation, customer service and tenant engagement to effectively deliver the new consumer regulation regime
 - Expect the regulator to develop a strategy for appropriate and ongoing publicity to make tenants aware of what it does and how to get in touch – both so they can understand and help shape consumer regulation
 - Broaden the skills mix and diversity of Board Members and increase the number of Members with consumer regulation experience
 - Work with the regulator to make sure that the regulator is resourced and able to recruit the right new staff with diverse background and skills, including at senior levels
 - Require the regulator to set up a statutory Advisory Committee to provide independent and unbiased advice on discharging its functions. This will not be a decision-making body.