

# Social Housing White Paper: The charter for social housing residents

## NHF member briefing

24 November 2020

The [Social Housing White Paper](#) was published by the Ministry of Housing Communities and Local Government on 17 November 2020.

This briefing summarises the key measures in the paper, sets out the NHF's overall view, details the measures in each chapter and our responses to these, and outlines our next steps.

### Summary of key measures:

- The white paper presents a charter setting out seven commitments that social housing residents should be able to expect from their landlord.
- It collates a range of different initiatives and legislative changes from across the housing landscape, building on proposals set out in the [Social Housing Green Paper](#) and the [Review of Social Housing Regulation: Call for Evidence](#).
- The overarching themes are building and resident safety, and resident voice. It also aims to deliver the improvements in transparency and accountability promised in the 2018 green paper.
- To ensure landlords comply with the charter, the white paper outlines plans for new regulation and a strengthened Housing Ombudsman. These plans will include regular inspections for landlords with more than 1,000 homes, regulation on consumer standards, removing the serious detriment test and new powers for the Ombudsman to issue complaint handling failure orders.
- Social landlords will also have to report against new resident satisfaction and income/expenditure measures, with an expectation that residents should be able to access key information from their landlord.

- The paper proposes a potential review of the Decent Homes Standard, new nominated responsible person(s) for health and safety and consumer standards, and an intention to tackle anti-social behaviour by clarifying the roles of different agencies.
- The government has also launched a further [consultation on mandating smoke and carbon monoxide alarms in rental homes](#), and has published [a response](#) to the Social Housing Green Paper consultation and Call for Evidence on the Review of Regulation.

## The NHF's view

The NHF and our members welcome the Social Housing White Paper and its timely focus on resident voice and influence. This is aligned with the work the sector has already been doing to achieve greater accountability to residents through the new 2020 Code of Governance and the Together with Tenants initiative.

Although the paper and some of the changes it proposes are challenging, overall it is constructive and practical and the government has been clear that there will be time for us to work collaboratively to shape the detail.

The government worked closely with us on some key themes we expected to be addressed in the white paper, and some of the sector's concerns have been recognised. In particular, it's positive that housing associations' vital independence will not be at risk by being subject to Freedom of Information (FOI). There will also be no new housing regulator.

The positive references to the NHF's Together with Tenants programme are encouraging, and the alignment between the Together with Tenants Charter, and the charter contained within the white paper are notable. Through Together with Tenants, 150 of our members have already started on the journey towards the change in culture and new ways of delivering accountability and influence for residents mapped out in the white paper.

As part of the drive to greater transparency, social landlords will be expected to report against a number of resident satisfaction and cost measures. As set out in our response to the 2018 Social Housing Green Paper, we recognise the value of providing transparent data on performance and satisfaction to assure, inform and empower residents and establish some consistency across the sector. However, we

must ensure this delivers effective and lasting improvements for residents in developing trusting relationships that are rooted in respect. It will also be important to frame these measures in a way that makes sure that findings are not distorted by different expectations and individual circumstances of landlords.

Together with Tenants aims to deliver a change in culture by providing a framework for resident engagement which values the diversity of the housing sector, and the direct lived experience of residents. We believe this is the most effective way for residents to have meaningful input into decisions made by housing associations that affect their homes and communities.

Improvements to consumer regulation are also welcome. Applying a more proactive approach to the regulation of consumer issues is an important way of supporting boards, providing assurance for residents, and ensuring action is taken where necessary. However, we note that the proposed measures will require primary legislation and no parliamentary time has yet been allocated for this, so it is important we continue to make progress as a sector on our commitments to residents in the meantime.

## The charter commitments

The white paper sets out a charter for residents, comprising seven commitments that every social housing resident should be able to expect. It echoes many of the commitments in the sector's own [Together with Tenants charter](#), particularly around resident voice, relationships, accountability, quality, and complaints.

The commitments are listed below, followed by a summary of the accompanying paper chapters.

### A new charter for social housing residents

- 1. To be safe in your home.** The government 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.

## Summary of proposals and commitments

### Chapter 1. To be safe in your home. The Government will work with industry and landlords to ensure every home is safe and secure.

The focus of this commitment is largely on building safety, as the government responds to the recommendation from Dame Judith Hackitt's [Independent Review of Building Regulations and Fire Safety](#) that called for action to develop a 'national culture of engagement on fire and structural safety for residents of all tenures'.

#### Ensuring buildings are safe

Nothing is more important to housing associations than the safety of the people who live in their homes. This white paper was set in motion by the tragic fire at Grenfell Tower and it is right that the government should commit to ensuring buildings and the people who live in them are safe. We welcome these proposals, particularly as a means to further ensure the safety of buildings that fall outside of the initial scope of the more stringent higher-risk regime in the draft Building Safety Bill.

Given the extent of the overhaul of building safety regulations, however, these measures will need to be considered as part of a deliverable and realistic transition period. Ensuring adequate and realistic timings for these and other measures to become law will enable those responsible to plan effectively and diligently for their onset. It will also ensure they are able to focus their capacity on implementing measures that will have the greatest impact on lowering any risk to residents' safety.

The government cites the proposals in the [draft Building Safety Bill](#) that aim to bring about a culture change so that organisations who manage residential buildings, across all tenures and including higher-risk buildings, prioritise residents and their safety. We know our members are working hard not just to remediate buildings with

unsafe cladding, but also to build the culture of safety the government refers to in the white paper. The government recognises the importance of the social housing and building safety regimes (including the private rented sector) to support fire and building safety and work together effectively.

The key proposals in this chapter are to:

- Legislate to strengthen the consumer regulation objective so that it explicitly includes resident safety.
- Legislate to require social landlords to identify a nominated person responsible for complying with their health and safety requirements (it is important to note that a distinction must be made between those with clear responsibility for building or fire safety (under the draft Building Safety Bill and Fire Safety Order), and the person responsible for compliance with broader health and safety requirements.
- Expect the Regulator of Social Housing (RSH) to prepare a Memorandum of Understanding with the Health and Safety Executive (HSE), once the national Building Safety Regulator (BSR) is created, to ensure effective sharing of information.

A new consultation has also been launched [mandating carbon monoxide and smoke alarms in social housing](#). A second consultation is expected to consider ways to ensure social housing residents are protected from harm caused by poor electrical safety. We are supportive of these proposals to bring our sector in line with private sector standards, and are aware that many of our members have already taken steps to address these proposed changes. However, we are mindful of the time and capacity challenges involved in delivering such changes in parallel with other regulatory reform. We are keen for members to share their views with us on the impact of these proposed changes.

### **Engagement on fire safety**

This section responds to resident feedback submitted to the [Building a Safer Future consultation](#).

‘Trust’ is cited as the key for residents to feel safe in their homes. To help them feel safer and gain trust, residents wanted tailored information from their landlord and better communication about their home, including two-way engagement on how safety is managed.

The paper reiterates the measures in the draft Building Safety Bill that relate to the new dutyholder in occupation or Accountable Person and their responsibilities to residents in a higher-risk buildings<sup>1</sup>, namely:

- That residents are automatically provided with information on the fire and structural protections in place to manage risks in their building – and can obtain access on request to more detailed information.
- Residents have clear routes to raise complaints about building safety.
- Residents have clear info to help them understand their responsibilities in a whole-building approach to safety.

Confirmation is provided that the final report from the [Social Sector \(Building Safety\) Engagement Best Practice Group](#), comprising social landlords and residents, will be published shortly. This group tested approaches to engagement on building safety and the report will provide much-needed best practice examples.

The government confirms that it has been working with the new shadow BSR to ensure resident voice continues to shape the building safety regulatory regime as it evolves. The paper commits to continuing to work with the BSR to establish a resident panel to assist it in determining its priorities and to inform any guidance that it publishes on resident engagement.

A new consultation is launched [mandating carbon monoxide and smoke alarms in social housing](#). A second consultation is expected to consider ways to ensure social housing residents are protected from harm caused by poor electrical safety. We are supportive of these proposals to bring our sector in line with private sector standards, and are aware that many of our members have already take steps to address these proposed changes. However, we are mindful of the potential burden on members to deliver such changes in parallel with other regulatory reform, and the capacity challenges this may involve. We are keen for members to share their views on the impact of proposed changes with us.

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<sup>1</sup> <https://www.gov.uk/government/publications/draft-building-safety-bill/page/14>: the new regime will apply to all multi-occupied residential buildings of 18 metres or more in height, or more than six storeys (whichever is reached first).

## **Chapter 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.**

This chapter begins with a consideration of chief executive pay and goes on to say that this paper seeks to ‘redress that balance’ and ensure that landlords ‘consider their purpose and their tenants, at all times’.

The following measures are set out to facilitate residents being able to hold their landlord to account.

### **Tenant satisfaction measures**

The RSH will bring in a set of tenant satisfaction measures for all landlords on things that matter to tenants. These measures will inform the regulator about compliance under a new proactive consumer regulation regime but are also designed to help residents hold their landlord to account. The RSH will determine how to publish these measures to residents.

The draft resident satisfaction measures, often referred to as Key Performance Indicators, or KPIs, set out on page 23 of the white paper, are largely ones that are already collected and reported on in some way by most landlords. The definition and exact metrics associated with the new KPI set are still to be confirmed, and there is scope to clarify some of the wording and intent behind the suggestions. As mentioned earlier, it will be important to frame the indicators in a way that ensures findings are not distorted by different expectations, circumstances or geography.

We expect the work on KPIs to progress quite quickly and we will get in touch with members letting them know how they can feed in to this conversation as soon as possible.

### **New access to information scheme**

In addition, a new access to information scheme for social housing tenants of housing associations and other private registered providers of social housing, will be introduced so that information relating to landlords is easily accessible by tenants. The paper suggests that tenants can be supported to gain access to information by their MP, a solicitor, advocate or journalist.



Information that can be accessed includes anything relating to the management of the housing held by the landlord, and any relevant information held by subcontractors. The new legislation will include time limits for supplying information and grounds upon which access can be refused, aligned with exemptions in the FOI regulations.

It is welcome that the white paper recognises that extending FOI to housing associations might put at risk their classification as non-public bodies. However, we need to ensure the proposed scheme actually avoids this risk and is proportionate for landlords to administer.

We agree about the importance of openness and will continue to work with our members to get ready for the new access to information scheme – including how we can publish as much useful information upfront as a matter of course.

The rights and responsibilities around this new measure are still to be determined, including the routes to challenge refusals, and leaves scope for the sector to shape the final outcome. We will provide further information on how members can feed into this conversation as soon as we can. Rights to information relating to building safety should apply in all sectors, not just social housing, and the draft building safety and fire safety bills already include provision to ensure greater resident access to such information.

### **Information on use of funds**

The paper establishes the expectation that social landlords provide clear information to their residents to show how they are making the best use of their resources. The RSH will be tasked with ensuring that landlords provide a clear breakdown of how their income is being spent, including levels of executive remuneration, to be published alongside their tenant satisfaction measures. However, there is no suggestion that executive remuneration will be regulated.

Tenants should have means whereby they can ‘challenge’ whether money is being spent on things that matter to them. The theme of ‘challenge’ is picked up later in the paper, under Chapter 6.

### **Clear leadership and responsibility**

Landlords will be required to identify a senior person in their organisation who is responsible for ensuring they comply with the consumer standards set by the RSH



(and in addition a nominated person will be responsible for compliance with their health and safety requirements – see chapter 1, safety). This person must be clearly identified to tenants, the RSH and the ombudsman.

It is important to note that a distinction must be made between those with clear responsibility for building or fire safety (under the draft Building Safety Bill and Fire Safety Order), and the person responsible for compliance with the consumer standards. The latter is a different role only applicable in the social sector and would cover a wider remit than safety.

Careful consideration must be given to the potential for resident confusion where a number of responsible or nominated persons exist with specific responsibilities in one building. This includes how such roles are clearly articulated and communicated to residents and how such persons should work together and share information.

Landlords will be required to report to every tenant on matters surrounding their performance at least once a year, if not continuously.

### **Chapter 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.**

This chapter sets out how the government will address issues raised by residents that making a complaint about their landlord took too long, and could be difficult.

The Housing Ombudsman will take stronger action where failings are found, and their powers will be kept under review. Options to make the new Complaints Handling Code a statutory document are also being considered.

#### **Transparency**

From March 2021, the Housing Ombudsman will publish the details of cases it has determined on its website, and data on individual landlords' complaint volumes, categories and outcomes. This will support the new tenant satisfaction measures the RSH is developing on complaints handling. The aim is equip residents with relevant information so they can better hold their landlords to account on the way they handle complaints.

The Housing Ombudsman is to have an independent reviewer to examine any complaints made about the service received by those contacting the ombudsman. The Housing Ombudsman Service will publish the independent reviewer's findings, including where the Ombudsman needs to improve performance and learn from outcomes.

## **Complaints handling**

In a reiteration of previous announcements, the paper confirms that landlords will be required to comply with the Housing Ombudsman's Complaint Handling Code. Non-compliance with the code could result in landlords receiving failure orders about the handling of complaints which will outline the details of any failure, be notified to the landlord's governing body, the responsible person or the RSH and be published on the ombudsman's website. The Housing Ombudsman has published guidance on these new orders that will be implemented from 1 January 2021.

The paper says new powers for the Housing Ombudsman to identify best practice have been approved, which provides an opportunity to showcase the best of our work as a sector.

## **Speed of redress**

The Housing Ombudsman is to work with landlords to resolve a greater proportion of formal complaints quickly using mediation, through the new measures in the Complaints Handling Code. The paper talks of a 'culture change' in complaints handling brought about by the new code.

Emphasising the measures previously announced as part of the launch of the Complaints Handling Code, the paper sets out the consequences for a landlord that is deemed to have acted too slowly to resolve a complaint. Under the new system, the Housing Ombudsman will issue complaint handling failure orders, and the RSH will be able to take action where there is evidence of systemic failings and a breach of the consumer standards.

The Housing Ombudsman aims to halve the average determination time for complaints formally referred over the next two years: first to 4-5 months by March 2021, then to 3-4 months by March 2022. It will receive additional resources from the Treasury to enable this to happen. It will be essential that the Housing Ombudsman has prompt access to the evidence it needs to make fair and timely decisions.

From 2021, the Housing Ombudsman will use new powers to issue a complaint handling failure order to progress a complaint if a landlord fails to provide the information as expected.

We welcome the white paper's recognition of current problems relating to determination time and proposals to take action to ensure swifter complaints handling.

The white paper notes that compliance with orders from the Housing Ombudsman is high. However, where there is non-compliance, the new code and strengthened Ombudsman powers include measures to publish failure orders on a quarterly basis, highlighting the names of the landlords and reasons for the orders. This information will also be shared with the RSH.

### **Communicating key messages to residents**

The government will commit to run a resident-focused awareness campaign about the rights residents have to complain, so that they are confident navigating the routes to redress.

Landlords are already required to publish their complaints handling procedure to residents in a range of accessible formats. However, future revisions to the Complaints Handling Code will extend to requiring landlords to use posters in their office and in residential areas to further promote their approach.

The Housing Ombudsman will continue its online engagement activity which took place over the summer of 2020, extending to virtual 'Meet the Ombudsman' events to coincide with the publication of quarterly insight reports (which will provide information on complaints data, learning points and case studies).

### **Access to redress**

Echoing measures already set out in the draft Building Safety Bill, plans to remove the requirement for resident complaints to pass through the 'democratic filter' are confirmed. This would usually be an MP, a local councillor or tenant panel, before being passed on to the ombudsman. We welcome the removal of the democratic filter and the eight-week delay associated with it as it will provide residents with much easier access to the ombudsman. We have previously called for this change.

## Co-operation between the statutory bodies

Plans will be set out to formalise and further strengthen the relationship between the RSH and the Ombudsman by introducing a statutory requirement for each body to co-operate with the other.

This will be supported by legislation that requires both bodies to regularly review their Memorandum of Understanding (established in September 2020). We welcome steps to enable closer working between both bodies. However, we also support the differentiation between the roles of each body and believe these need to be clearer for residents to understand.

Similarly, the Ombudsman will now be a statutory consultee for any proposal concerning changes to the RSH's economic and consumer standards; and in return, the RSH a statutory consultee for any changes to the Housing Ombudsman Scheme.

The draft Building Safety Bill sets out reciprocal information sharing and a reciprocal duty of cooperation between the BSR, the Housing Ombudsman and the RSH, covering higher-risk residential buildings in scope of the more stringent building safety regulatory regime. This is echoed in the white paper.

The NHF supports the enhanced role of the Ombudsman in ensuring that all social landlords have an effective complaints process. An accessible, responsive and speedy complaints mechanism is an essential part of social landlords' commitment to their residents, as well as a powerful mechanism driving service improvement, and we acknowledge there are improvements we need to make.

## **Chapter 4. To be treated with respect, backed by a strong consumer regulator and improved consumer standards for tenants.**

This chapter comments on the need for a culture change in the social housing sector, in response to the feedback gathered from residents in 2018. It sets out plans to re-establish regulation of the consumer standards. We welcome the reaffirmation of co-regulation, and the expected more active approach to consumer regulation.

Co-regulation is important because it recognises that housing association boards (or equivalent governance arrangements) have the overriding responsibility for the performance of their organisations. This includes the responsibility for ensuring that

the organisation complies with regulation. Co-regulation therefore requires that the regulator engages with providers, where this is necessary, via the board.

In respect of consumer regulation, we believe it is important that a strong regulator ultimately protects the rights and interests of residents.

## **A new regulatory regime**

The paper introduces moves to re-establish parity between the way consumer and economic standards are monitored, how compliance is supported, and how breaches are reported.

Currently the RSH does not proactively scrutinise landlord compliance or routinely monitor performance, it only acts when issues are brought to its attention. The RSH can only exercise its power if it has grounds to believe that there is a risk of, or actual, serious harm to tenants; this is known as the serious detriment test.

Confirmation is provided of the removal of the serious detriment test as a barrier to intervention from the RSH. Under the proposed measures, the consumer standards will be proactively regulated and a system of routine inspections introduced to obtain assurance that landlords are meeting these standards.

Inspections will be programmed on a risk-based approach so that landlords at greatest risk of failing, or where failure might have the greatest impact on tenants, are subject to greater oversight.

Landlords with more than 1,000 homes will be inspected every four years, and the RSH will carry out inspections at more frequent intervals where a routine inspection finds a breach or significant risk of a breach of its standards. The RSH will also carry out bespoke reactive inspections where a potentially serious compliance breach has been identified, for example, by residents. We are keen to understand how the RSH's increased capacity is to be funded, particularly if the extra costs are to be covered by higher regulator fees, which may impact on other priorities.

Extending the theme of transparency, the paper outlines provisions for the RSH to make public instances where a landlord is found to be non-compliant with its standards, by publishing online its inspection and investigations findings, alongside details of any enforcement action it will take. The government will create new legislation that adds transparency to the RSH's consumer regulation objective.

We are committed to working with the RSH to ensure information about non-compliance is shared in a constructive way that supports the sector to learn.

The RSH is given the power to publish a Code of Practice on the consumer standards, alongside its existing ability to prepare codes of practice for economic standards. The consumer standards will be reviewed in parallel to ensure they remain up to date and deliver their statutory objectives.

It is important that any new code should be outcome-focused and not hindered by step-by-step processes.

As part of this review, the RSH will expect landlords to have a policy setting out how they tackle issues surrounding domestic abuse, work in partnership with other appropriate agencies, and also require landlords to show how they have sought out and considered ways to improve tenant engagement.

## **Safety**

Resident safety should be the priority for all landlords, and the consumer standards will be updated to reflect this.

In order to ensure safety has the appropriate level of priority in an organisation, new legislation will require landlords to identify and make public a nominated person responsible for compliance with their health and safety requirements. The nominated responsible person will be tasked with ensuring robust health and safety measures are in place across the organisation, and that appropriate risk management is enacted. (It is not clear whether this will also apply in the private sector, even though health and safety requirements generally apply across all sectors).

While we support moves to ensure health and safety is well-managed and robust, as set out previously, we need to ensure new organisational roles and those described by the draft Building Safety Bill and Fire Safety Bill (listed under headings below), work together and that residents are clear about delineation of responsibilities and where to go if they have concerns.

Regardless of social or private ownership, buildings within the scope of the draft Building Safety Bill's more stringent regulatory regime will have a building safety manager whose role will be building-specific and encompass the day-to-day management of building safety duties.

These buildings, and others covered by the Fire Safety Order, will also have a Responsible Person with specific responsibilities for fire risk assessment and safety.

Organisations registered with the RSH – but not the private sector – will have a Responsible Person for consumer standards which will include, but are not limited to, standards relating to building safety. These organisations will also have a Responsible Person for health and safety.

The monitoring and enforcement of building safety will be strengthened by moves to establish a memorandum of understanding between the RSH and the HSE, once the BSR is created, to ensure that they can share information effectively.

## **Enforcement**

In pursuing a more proactive approach to consumer regulation, the RSH will be able to use its monitoring, investigation and enforcement powers, in the context of the consumer standards. Further legislation will be enacted to enable the RSH to require a Performance Improvement Plan for landlords who fail to comply with a consumer standard. This approach allows for residents to be kept informed of what action their landlords will carry out and when, and challenge the landlord if it fails to meet these requirements.

In an emergency, where the RSH is investigating potentially unacceptable or unsafe conditions, new powers will reduce the notice period that the RSH must give a landlord to survey the condition of properties from 28 days to two days. This will allow the RSH to assess properties faster and take decisive action. Where emergency repairs are found to be necessary after an inspection, the RSH will have a new power to commission those repairs and to recoup any cost from the landlord.

The cap on the level of fine that can be imposed on an organisation found to be in breach of the regulations is to be removed, allowing greater flexibility for the RSH to enforce sanctions that it deems appropriate.

Additionally, the statutory requirement to seek permission from the Secretary of State to carry out inspections on the grounds of a breach of consumer standards has been scrapped.



## **Local authorities, ALMOs and the right to manage**

The paper discusses some of the challenges associated with regulating homes that transferred to Arm's Length Management Organisations (ALMOs) and those managed by Tenant Management Organisations (TMOs), created under the Right to Manage. In recognition of this, new legislation will be put forward that makes it explicit that provisions in contracts between local authorities and ALMOs or TMOs would be deemed void if they hindered the RSH in exercising its powers. In addition, the government will review the statutory Right to Manage guidance.

Currently only housing associations and private registered providers are legally compelled to self-report breaches of the consumer standard, but under the new regulatory regime, this obligation will be extended to local authority housing management.

## **Enhancing the resources of the RSH for consumer regulation**

The measures outlined in Chapter 4, and throughout the white paper more generally, require additional resource within the RSH to ensure compliance.

The resources available to the RSH are to be bolstered, whilst creating a new consumer regulation function within it, rather than to create a new regulator. To support this new function, the RSH will be supported to draw in appropriately qualified leadership and staff with experience specifically in consumer regulation, customer service and tenant engagement. Recruitment to the Board of the RSH will also be reviewed, to ensure that future board members have consumer regulation experience. As mentioned above, any significant increase in regulatory fees may limit members' capacity to address other priorities.

Similar to the public communications work of the Housing Ombudsman, the RSH will be expected to develop a publicity strategy aimed at informing tenants of its role and purpose. There is also an expectation for the RSH to be more transparent in how it works and to have greater engagement with tenants.

New legislation will also mandate the RSH to set up an advisory committee to provide independent and unbiased advice on discharging its functions. This committee will not be a decision-making body, but operate in an advisory capacity. It is not clear at this stage how or whether resident or landlord voice will be represented on the committee.

## Economic regulation

We welcome the commitment to the continuing importance of economic regulation. The significant changes to the social housing sector in recent years is recognised by the government, as housing associations have diversified their stock and developed models of cross-subsidy. The RSH uses its oversight and regulatory powers to assess the risks associated with such changing models in its annual Sector Risk Profile, setting out the range of strategic and financial challenges facing the social housing sector.

No significant change to the way the economic standards are regulated is proposed, but there will be new measures to improve the ability of the RSH to enforce these standards:

- A revised, more restrictive definition of 'non-profit' to ensure that the RSH properly designates providers, and that for-profit organisations do not attract the more favourable housing benefit status for supported housing.
- A new requirement for landlords to notify the RSH when there is a change in control of a housing association.
- The introduction of a 'look through' power that would enable the RSH to follow money paid from a landlord to another company, including scrutinising the finances of organisations thought to benefit from a registered provider.

Non-profit status is central to the ethos of housing associations, and the NHF agrees that it is important for the RSH to look beyond the formal legal status of a landlord to ensure that it operates on a non-profit basis in practice as well as in theory. We are committed to working with MHCLG and the RSH to promote good practice and governance across the sector.

## **Chapter 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.**

Under the proposals set out in Chapter 5, the RSH will require landlords to seek out best practice on tenant engagement, and to continually improve their approach to communicating with residents.

We welcome these proposals and have been working as a sector to strengthen resident engagement and our relationship with residents. The NHF's Together with Tenants programme is identified in the paper as an important sector-led initiative that plays a key role in making organisations more transparent and accessible. The paper states an intention to build on this and embed a culture of continuous improvement in tenant engagement. A number of the commitments in our Together with Tenants charter will proactively enable residents to have their voice heard. For example:

- Relationships – housing associations will treat all residents with respect in all of their interactions. Relationships between residents and housing associations will be based on openness, honesty and transparency.
- Voice and influence – views from residents will be sought and valued and this information will be used to inform decisions. Every individual resident will feel listened to by their housing association on the issues that matter to them and can speak without fear.

In developing the ideas within the white paper, a significant ministerial consultation exercise was completed, and the paper further commits to ongoing ministerial engagement with residents. The intention is to ensure residents are at the heart of policymaking within central government.

A new resident empowerment programme is introduced in the paper, aimed at equipping residents with the tools to better influence and hold landlords to account, and drive delivery of higher quality services. This will be developed with tenant-led national bodies, with a focus on support for residents to take part in scrutiny activities.

## **Loneliness**

The paper picks up on research that was carried out during the lockdown measures, enforced as part of the UK's response to the coronavirus pandemic, to consider the mental wellbeing of residents. We welcome this important focus and are keen to continue to share the good practice we have identified across our sector.

Whilst this section does not feature a policy or regulatory response to the research, it does flag the initial success of landlords in moving services online and the outreach and inclusion work that was carried out by many to combat feelings of loneliness.

## Professionalisation

This section outlines new proposals to review the professional training on offer in the sector and consideration of the appropriate qualifications for social housing staff in different roles, including senior staff.

The paper highlights that most landlords treat their residents with respect and compassion. However, there are cases where residents have not had their needs met and have experienced exceptionally poor service.

The promised review will consider what standard of training and qualification would be appropriate for staff, including senior leadership, working in the housing sector. It will be led by a group comprising residents, academics, professional bodies and landlords to explore the relevance and value of professional qualifications. The review will also consider best practice for delivering support on mental health for residents.

We welcome the review of professional training and qualifications in the sector and look forward to working with our members and the CIH to explore this further. We will continue to focus on respect through the commitment in our own Together with Tenants charter.

## **Chapter 6. To have a good quality home and neighbourhood to live in, with your landlord keeping your home in good repair.**

This section of the report is, in the main, a reiteration of previous announcements focused around the Decent Homes Standard, the importance of green spaces for health and wellbeing, and energy efficiency in current and future stock.

### **Decent Homes Standard**

The progress that the social rented sector has made in achieving the existing Decent Homes Standard is noted, and the commentary highlights that social rented homes are more likely to be decent than those in the private rented sector. The paper commits to a review of the Decent Homes Standard to consider whether it needs to be updated to ensure it is delivering what is needed for safety and decency now. The NHF and our members support this commitment and have an important role to play in the development of a revised standard and its delivery. We will be engaging

members to collect views on what a future Decent Homes Standard should encompass in due course.

The Decent Homes Standard review will also consider how improvements to communal space around social homes could make places more liveable, safe and comfortable. The need for residents to have access to green space, although already well understood by housing and health professionals, has been highlighted by the lockdown restrictions enforced in light of the coronavirus pandemic.

Measures to ensure access to green spaces that are contained within the National Planning Policy Framework, and the National Design Guide, as well as plans for £4m of funding to support the 25 Year Environment Plan, are all reiterated in this chapter.

### **Energy efficiency**

The government commitment to decarbonising housing is reaffirmed, and the review of the Decent Homes Standard will explore how the Standard can better support improvements in energy efficiency.

The sector already outperforms other tenures in terms of energy efficiency, and housing associations are currently working towards the target of upgrading as many homes as possible to EPC Band C by 2035, where this is practical, cost-effective and affordable<sup>2</sup>. The review of the Decent Homes Standard may conclude that the EPC Band C target should be brought forward to 2030.

The paper references new funding programmes to support decarbonisation: the Green Homes Grant scheme and the Social Housing Decarbonisation Fund demonstrator. We have welcomed these and will continue to work with the government to improve the programmes, and to secure longer-term funding for the sector. We have called for the Green Homes Grant scheme to be extended for at least another year to give more time for engineers and installers to gain the necessary certification and for members to plan, procure and deliver retrofit work. On 18 November, the [Prime Minister announced](#) that the Green Homes Grant scheme would be extended to 2022.

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<sup>2</sup> <https://www.gov.uk/government/publications/clean-growth-strategy>

## **Mental and physical health and wellbeing**

Chapter 6 makes reference to the impact on mental health that can result from a lack of green spaces, poor quality housing and experiencing anti-social behaviour and crime.

A central review of professionalisation will consider how well housing staff are equipped to work with people with mental health needs, and it is intended that the review will encourage landlord best practice.

The paper notes emerging evidence about the relationship between housing and health, including housing's role in the transmission of coronavirus. The government commits to continue to engage with the latest evidence on the impact of housing conditions on health, including coronavirus transmission, as well as active consideration of options to mitigate these impacts.

## **Anti-social behaviour and crime**

In the final section of this chapter, the issues of antisocial behaviour and crime are described as having a corrosive effect on communities, and new measures are laid out to address them. These measures include:

- Inclusion of residents' experience of antisocial behaviour within the new mandatory KPIs set out in Chapter 2, with reference to measures on responsible neighbourhood management.
- Plans to collaborate with the Home Office and other partners to develop understanding on how crime, and tenants' perception of crime, can be measured and reported on, and what scope there may be to include them in tenant satisfaction measures.
- Moves to bring clarity to the different responsibilities that police, local authorities and their landlords have in cases of antisocial behaviour.
- Working with sector bodies to support landlords to inform their residents of their ability to call for a multiagency case review (called a Community Trigger) in cases on persistent antisocial behaviour.
- Bringing together a working group to shape approaches to antisocial behaviour where the perpetrator has substance abuse and or mental health issues.

We welcome this focus on anti-social behaviour and crime and think it is right to focus on clarifying the role of different agencies so residents get the right support. Too often residents do not know who to turn to when they experience anti-social behaviour. As a sector, we are committed to tackling anti-social behaviour but know we are often reliant on other partners to take action to resolve issues.

## **Community integration**

The paper makes clear the intention that social housing is treated as an integral and valued part of the housing system, rather than being separated or segregated from other forms of housing. That aspiration is reflected in the National Planning Policy Framework which states that planning policies and decisions should aim to achieve healthy, inclusive and safe places.

The NHF worked extensively with MHCLG in the summer of 2019 to develop ideas of how good mixed tenure developments could be achieved. We will continue to make the case for mixed and integrated communities as changes to national planning policy and local plans are implemented and developed.

## **Allocations**

The paper confirms that the government will soon publish the findings from research they commissioned in light of the Social Housing Green Paper, looking at how allocations systems operate, and their effectiveness, in local areas.

This work will look to consider:

- How to improve joint working between local authorities and housing associations to ensure efficient social housing allocations.
- Removal of barriers to accessing social housing for homeless households.
- How to ensure vulnerable households are able to navigate local authority allocation systems.
- How access to suitable homes for disabled people can be improved.

The research findings will be used to inform consideration of how to improve joint working to ensure fairness in allocation, remove barriers to access for homeless households, and ensure vulnerable applicants can navigate systems. Potential improvements to the process of allocating adapted properties and suitable homes for disabled people will also be considered.



We welcome the government's commitment to achieve a fair and outcome-focused approach to allocations for local places and communities.

### **Domestic abuse**

The RSH will amend its regulatory standards to make it clear that landlords should have a policy setting out how they should tackle issues surrounding domestic abuse. The NHF has been working with the Domestic Abuse Housing Alliance and has facilitated regional groups for housing providers and partners to share best practice on responding to domestic abuse, including the [Whole Housing Approach](#).

### **Armed Forces**

The paper makes reference to previously published statutory guidance for local authorities to improve access to social housing for members of the Armed Forces, veterans, and their families. The guidance will ensure that service personnel and veterans suffering from mental health are prioritised for social housing; that those who separate from their partners in the Armed Forces are exempted from any local connection test; and that local authorities can identify applications from members of the Armed Forces community to ensure they are considered appropriately.

## **Chapter 7. To be supported to take your first step to ownership, so it is a ladder to other opportunities, should your circumstances allow.**

The final chapter reiterates the government's priorities around homeownership, and summarises announcements around affordable home ownership made in earlier publications. These include:

- The introduction of a new shared ownership model.
- A commitment that 50% of the new homes funded by the new Affordable Homes Programme will be for affordable home ownership.
- The introduction of 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.
- A Voluntary Right to Buy pilot in the Midlands.

We will continue to work with members on the detail of the Affordable Housing

Programme and we look forward to the reviewing the evaluation and learning from the Midlands Voluntary Right to Buy pilot.

## **Building more affordable homes**

The paper reflects proposals to reform the planning system, set out in the [Planning for the Future](#) White Paper, to replace the current system of developer contributions with a new infrastructure levy, charged as a fixed proportion of the development value. The NHF recently submitted [a response](#) to this consultation, which flagged serious concerns about the proposals.

Reference is made to rural exception sites, which are small rural sites not normally used for housing but allowed to be used for affordable housing to accommodate households who are either current residents in the local area or have an existing family or employment connection. The commitment to promote their better use is positive, but undermined by separate proposals for First Homes exception sites. These would offer landowners a better return on their building investment while failing to meet the more acute needs of local people in many rural communities for genuinely affordable rented homes. In [our recent response](#) to the consultation on proposed short-term changes to the current planning system, we argued that a much wider range of rural areas should be protected from First Homes exception sites.

## **Building beautiful**

The aspiration to develop more beautiful homes and communities is touched upon in this section with reference to the Building Better, Building Beautiful Commission. The NHF worked both with the commission and directly with MHCLG last year to explore how standards of design and ‘tenure blindness’ could be improved, to enhance both the look of, and the potential for, community integration in new developments.

## **Home ownership**

The NHF has engaged with the government extensively over the proposed new model of shared ownership to ensure that ministers and officials understand the sector’s continuing commitment to shared ownership but acknowledge our serious concerns about the viability of the new model.

MHCLG has now issued a [consultation paper on how the new model will work](#). We welcome the fact that this addresses a number of the sector’s specific concerns. The consultation paper also recognises the additional cost to

members of delivering the new model of shared ownership and states that providers should consider this when applying for funding.

We understand that members will still have concerns but we hope that the consultation paper provides the clarity that housing associations have been calling for in order to decide whether to bid for funding under the new AHP, and if so, at what grant levels.

## Conclusions and next steps

As set out above, the NHF welcomes the ambition and focus of the white paper on resident voice and influence, and its alignment with work already being carried out across our sector to give residents greater accountability.

Our focus now will be working constructively to shape the detail behind these plans and supporting our members to prepare for the changes.

Together with Tenants gives us a strong platform to engage in this work, and ministers and officials are keen to work closely with the sector and hear our views.

We know that while the legislation that will need to underpin many of the changes in the white paper may take some time to come forward, there are other elements where we anticipate being able to engage in the detail quite quickly, for example on the proposed tenant satisfaction measures.

We will be in touch with further detail on how we are going to engage members on the various elements of the white paper as soon we can. In the meantime, there will be opportunities to discuss the white paper at upcoming member meetings and we'd encourage all members to get in touch to share their initial views.

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