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| Report To: | CABINET |
| Date: | 7TH DECEMBER 2021 |
| Heading: | SOCIAL HOUSING WHITE PAPER |
| Portfolio Holder: | CLLR T HOLLIS, DEPUTY LEADER AND PORTFOLIO HOLDER FOR COUNCIL AND SOCIAL HOUSING |
| Ward/s: | ALL |
| Key Decision: | NO |
| Subject to Call-In: | YES |

Purpose of Report

To provide a summary update of actions undertaken as a result of the (then) Ministry of Housing, Communities and Local Government (MHCLG) Social Housing White Paper in line with recommendations since the original summary presented in January 2021 Cabinet.

Recommendation(s)

To note the key implications and priorities for Ashfield District Council arising from the Ministry of Housing, Communities and Local Government (MHCLG) Social Housing White Paper and the resulting identified actions.

To note progress against the reported action plan

Reasons for Recommendation(s)

To update Elected Members on how Ashfield District Council meets the Regulatory regime for Council Housing and complies with the expectation of the regulator that Elected Members are kept informed in our progress to meet statutory requirements.

Alternative Options Considered

(with reasons why not adopted)

No alternative – the White Paper sets out forthcoming changes and legislation as to how Council Housing will be regulated by the Regulator of Social Housing. To not adhere to the regulations may carry both unlimited sanction and reputational damage for the Council.

Detailed Information

The Social Housing White Paper was published by the Ministry of Housing, Communities and Local Government (MHCLG) on 17th November 2020. It is the follow up to the Social Housing Green Paper that was published in August 2018, both of which are part of the government's response to the Grenfell Tower tragedy and the Hackitt Review of building safety and fire safety.

The White Paper sets out 7 core commitments that social housing residents should be able to expect from their landlord:

1. To be safe in your home
2. To know how your landlord is performing
3. To have complaints dealt with promptly and fairly
4. To be treated with respect – backed by improved consumer standards and regulation
5. To have your voice heard by your landlord
6. To have a good quality home and neighbourhood to live in
7. To be supported to take your first step to home ownership

Since the last update report to cabinet in January 2021 The Regulator of Social Housing (“the Regulator”) has published a Consumer Regulation Review on 7th September 2021. This report describes how they approached the consumer regulation and identified the key issues and lessons arising from casework in 2020-21, including the effects of Covid-19 pandemic and the publication of the Social Housing White Paper, The Charter for Social Housing Residents. It again reiterated the clear direction that has been set out in the White Paper and that there should be no delays in the implementation of the new regime.

The full review can be found on the website, but a summary is attached at Appendix 2

<https://www.gov.uk/government/publications/consumer-regulation-review-2020-to-2021/consumer-regulation-review-2020-21>,

An action plan has been created and is owned by a new Consumer Lead Officer appointed within the Housing team. This will continue to be monitored and be developed through the Housing and Assets' Departmental Management Team (DMT) overseen by the Corporate Leadership Team (CLT) and Portfolio Member for Housing and Assets. The action plan highlights the areas within the White Paper and specific Consumer Standards that are being met and identifies gaps where service areas will need to ensure work continues to remain compliant.

It is essential that there is a council wide understanding of the implications of non-compliance and implements early warning signs for breaches. The Regulator and the Housing Ombudsman will continue to publish the actions taken against housing providers and the advice remains constant; that the direction of travel is clear with regards to the required outcomes and that providers should not wait for legislation in order to adhere to compliance.

This is especially prudent in respect of Health and Safety which sits under the 'Home Standard'. All of the breaches of the standards in 2021 so far have been, or have included an element, of a breach of the Home Standard. Whilst the operational work of the Providers concerned have been questionable, it is also the lack of assurance and governance that the Board or Council receives from up to date and confident data, that raises most concern from the Regulator.

Next Steps

- Concentrated work with Council wide departments to embed understanding and identify robust indicators for early warning and evidence.
- Develop a clear report that will be submitted bi-annually to *committee/cabinet* that identifies focused recommendations where required, including associated risk of achieving target and compliance.
- Continue to work alongside Learning & Development for continuous learning for staff and councillors on key areas identified by gap analysis
- Tenant satisfaction measures need to be put in place.
- Capita Housing system is being updated in order to satisfy the collection of data
- Consumer Lead to undertake horizon scanning for regulatory changes and share information in timely manner with relevant departments.
- Robust risk analysis from performance and legislation changes that impacts operations and compliance.
- Embed better partnership working with cross-cutting departments through process reviews and sharing best practice.

Implications

Corporate Plan:

- To provide good quality value for money services
- To act strategically and plan for the future
- Review and improve tenant co-regulation, engagement and scrutiny in line with the regulatory framework for social housing in England and any new regulatory standards that are introduced

Legal:

There are no significant legal issues specifically in relation to this report. Legal advice and assistance will be provided in relation to the impacts of new legislation and regulations at the appropriate time, including any consequential Constitutional issues or amendments.

Finance:

| Budget Area | Implication |
|---|--|
| General Fund – Revenue Budget | No financial implications arising from this report |
| General Fund – Capital Programme | No financial implications arising from this report |
| Housing Revenue Account – Revenue Budget | No financial implications arising from this report |
| Housing Revenue Account – Capital Programme | No financial implications arising from this report |

Risk:

| Risk | Mitigation |
|---|---|
| Failure to adhere to regulatory requirements could lead to unlimited fines, compliance notices, direct intervention and/or significant reputational damage to the Council | <ul style="list-style-type: none">• Robust methods of control must be put in place.• Action plan to be overseen and signed off by CLT• Portfolio Member and Cabinet briefed accordingly and approvals sought as required. |
| Negative Inspection report (consequences as above) | <ul style="list-style-type: none">• Ensure adequate resources are in place to document and ensure compliance• Prepare an 'Inspection Plan' and consider 'mock' inspection. |

Human Resources:

As detailed in the report the whitepaper will require an upskilling of employees where required and a review of the potential skills gap to ensure that we have the right skill level in place. At this stage there is no other direct HR implications however there is a potential to impact on workload in the future which would be addressed utilising the Council's current policies and procedures.

Environmental/Sustainability:

No environmental implications at this point

Equalities:

No equalities implications at this point

Other Implications:

None

Reason(s) for Urgency

Not applicable

Reason(s) for Exemption

Not applicable

Background Papers

Appendix 1 – White paper Action Plan
Appendix 2 - Consumer Standards overview

Report Author and Contact Officer

Paul Parkinson
Service Director - Housing and Assets
paul.parkinson@ashfield.gov.uk
01623 608891