



# **WOKINGHAM BOROUGH COUNCIL**

## **COMMUNITY AND CORPORATE OVERVIEW AND SCRUTINY COMMITTEE**

### **PREFERRED REGISTERED PROVIDERS TASK & FINISH GROUP**

### **REPORT AND RECOMMENDATIONS**

**MARCH 2023**

#### **Task & Finish Group Members:**

Councillor Shirley Boyt (Chair)

Councillors Chris Johnson (Vice Chair), Laura Blumenthal, Andy Croy and Rebecca Margetts

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## **PREFERRED REGISTERED PROVIDERS**

### **Foreword by Councillor Shirley Boyt**

Each resident offered social housing from the WBC social housing register should be treated fairly and equitably, regardless of their housing provider. This is the principle that has driven this Task and Finish Group. There has been a general hypothesis amongst some Members, based on feedback from residents, that tenants of WBC retained social housing were often receiving a better service than those who were housed with Housing Associations. As WBC were about to enter into a new agreement with Preferred Registered Providers (PRPs), a set of Housing Associations who were preferred by WBC to deliver the majority of social housing in the Borough, this appeared the ideal time to examine the relationship with our preferred partners in order to deliver a great service for all residents using social housing.

It is also timely to examine service levels and tenant engagement in the light of the Social Housing (Regulation) Bill, currently progressing through Parliament. The main focus of this Bill is that the voice of the tenant is paramount.

Retained housing tenants in the Borough have access to a tenants' forum and have access to a communication channel to Council Officers which allows for in-depth scrutiny of processes and decisions affecting the tenant. Our evidence gathering showed that there were varying degrees of tenant engagement from the PRP's and the majority of tenants were unaware of the existence of any tenant engagement. Ensuring that tenants have a voice and say in their housing and community is fundamental in improving conditions and service delivery. In addition, many tenants found it difficult to reliably contact local PRP neighbourhood officers to get issues resolved expediently. We hope that our report and recommendations will encourage our partners to make positive changes to improve their communications with tenants.

The primary objective of the Task and Finish Group was to produce recommendations for improvement which should result in improved service levels, but more importantly that tenants could expect the same level of service regardless of their provider. In so doing, Members were impressed by the commitment and drive of our WBC housing officers, their willingness to get involved in this Scrutiny process and provide ideas for improvement. I was particularly pleased to be invited participate in the interview process which was very thorough and gave a real insight into the mindset of the PRPs. During this process it became clear that the past relationship between PRPs and the Council had been driven, first and foremost, by fulfilling the need to deliver new homes in the Borough, rather than tenant involvement or service levels.

The Task and Finish Group received evidence from a wide range of stakeholders including tenants of PRPs, Borough Council Officers and Members, the Tenant and Landlord Improvement Panel (TLIP), the Association of Retained Council Housing (ARCH), and Housemark (a data and analytics company focussing on social housing).

In preparing the report, the Task and Finish Group sought to understand the areas where tenants felt most let down by their provider and to identify how a strengthened partnership agreement could resolve these issues.

Finally, I would like to thank the residents, Officers, Members and outside bodies who gave up their time and contributed to the Task and Finish Group's work in such a positive and constructive manner. Particular thanks are due to Callum Wernham for his enthusiasm for this project and for putting together this report.

Shirley Boyt,  
March 2023

## Section 1 - Executive Summary

- 1.1 When residents reach the top of the WBC social housing register, they are offered accommodation which could be either retained WBC Council social housing or housing operated by a registered provider. WBC maintains a set of preferred registered providers (PRPs), meaning that they deliver the majority of social housing in the Borough. WBC promotes these providers to developers and asks that they be considered to deliver social housing as a priority.
- 1.2 Whilst a tenant might be placed with a PRP, it is important to note that they are still our residents and deserve a proper and fair service. WBC has an agreement in place with our PRPs, which is not intended to be a legally binding document; rather it is a statement of intent by both parties to use all reasonable endeavours to meet the agreement principles through a partnership approach. This agreement will be signed at the end of March by our new set of PRPs to be ready for operation in April 2023.
- 1.3 The recommendations of this Group seek to add to and strengthen the agreement between WBC and our partners, to deliver a service more akin to that received by tenants of our retained housing. Whilst this agreement is not legally binding, it is anticipated that significant improvements for tenants can be realised through a partnership approach.
- 1.4 In order to look at how tenants of PRPs might receive an improved service, the Community and Corporate Overview and Scrutiny Committee established the Task and Finish Group. The primary objective of the Group was to make recommendations for improvement of the service received by tenants, and to increase their overall satisfaction in future.
- 1.5 In order to understand the complexities of the issues, the Task and Finish Group received evidence from tenants of PRPs, Borough Council Officers and Members, TLIP, ARCH, and Housemark. The evidence highlighted a number of themes including:
  - Could PRPs facilitate better, meaningful, tenant engagement where tenants are at the centre of the process?
  - Were there opportunities for tenants to be provided with up-to-date contact information on local neighbourhood housing officers employed by their PRP?
  - Could PRPs provide more local, Borough-based, performance data to officers on a regular basis?
  - Were there opportunities to work with PRPs to achieve additional provision of social housing for priority groups, over and above the level required in legal agreements?

- Was it possible for PRPs to provide more regular details of their forthcoming development schedule to WBC, to allow officers to better ensure that the needs of the Borough were being met?
  - How could tenants be better informed about the complaints process for issues occurring with their homes – how could local Ward Members act as advocates for tenants in particularly complex cases?
  - What could be done to ensure that management fees and charges were fair, proportionate and delivered the promised services, and to ensure that refunds were issued where credit had been built up?
- 1.6 The Task and Finish Group carried out a survey of tenants of current PRPs and a selection of the other largest registered providers in the Borough. This was distributed directly via providers, and shared via WBC and Member social media channels. In total, approximately 165 responses were received, which gave a snapshot of some of the issues faced by tenants of PRPs. This data was used to inform this report and the recommendations therein.
- 1.7 Discussions with the Executive Member for Housing, TLIP, ARCH, and Housemark provided insights into industry best practice, upcoming changes related to the Social Housing White Paper and associated upcoming Social Housing Regulations Bill, and innovative ideas for improved partnership working with PRPs. Discussions highlighted that the requirements of the Social Housing White Paper and associated upcoming Social Housing Regulations Bill would require PRPs to increase their standards in many areas, including standardising how they engaged with tenants to obtain satisfaction feedback. Whilst these changes should lead to improvement for tenants, this will not be in place immediately. As such, the Group hopes that their recommendations will help PRPs prepare for the upcoming requirements and build upon them to deliver better results for tenants in the Borough.
- 1.8 Overall, the Group was impressed by the commitment of Council officers to seek improvements for tenants of PRPs, to deliver a single standard of social housing for tenants. It was recognised that WBC had no direct control over PRPs, other than taking them off the preferred list. However, officers showed commitment to deliver partnership working to encourage PRPs to improve the service offered to tenants over the life of the partnership agreement. Furthermore, officers have shown a willingness to engage more fully with PRPs to encourage and assist them to identify and improve upon shortcomings in both service and tenant engagement for the duration of the agreement.
- 1.9 We hope that the recommendations in the report will help to drive improved partnership working, deliver better outcomes for tenants, and enable the voice of the tenant to be at the front and centre of service delivery. The report will be submitted to the Community and Corporate Overview and Scrutiny Committee for approval and will then be submitted to the Council's Executive for consideration of the recommendations.

## Section 2 - Recommendations

- 2.1 WBC assist PRPs to facilitate the establishment of a tenant support forum within the Borough, made up of tenants from each registered provider, using TLIP as a model, insofar as the forum will be led by tenants rather than PRPs or WBC. The tenants will draw up the terms of reference for the Panel.
- 2.2 Any existing PRP operated tenants' forum should broadly align with the terms of reference as agreed via recommendation 1, and PRPs should be encouraged to ensure that they have a tenant representative on the wider tenants' forum.
- 2.3 PRPs support tenants to develop a tenants' charter that builds on the Government's social housing charter recommendations during the first three years of the partnership agreement.
- 2.4 PRPs maintain up to date named local, community neighbourhood contacts within the Borough, whose details will be provided to tenants.
- 2.5 PRPs provide and maintain up to date details (email and phone) for a minimum of one named person who will be the point of contact for officers and Ward Councillors in the event of problems arising.
- 2.6 PRPs provide Borough specific performance data to WBC on a regular basis. The specifics of the data required will be determined by WBC.
- 2.7 PRPs work constructively with WBC to secure affordable provision from developers, over and above Section 106 provision, to meet the needs of WBC's priority groups.
- 2.8 PRPs provide details including address, type of property and type of tenure of all the properties they hold in the Borough. These details will be updated annually.
- 2.9 PRPs provide full details to housing officers of their forthcoming development programmes on a quarterly basis.
- 2.10 PRPs provide details of the tenants' charter, tenants' forum and contact details of local operational contacts within the welcome packs that they provide to new tenants.
- 2.11 PRPs resolve complaints and disputes in a timely and satisfactory manner. Where the tenant remains unsatisfied, details of the Ombudsman escalation process should be provided, and tenants should be informed that their local Ward Councillor(s) may be able to support and advocate for them in this process.
- 2.12 PRPs ensure that service charges are proportionate and transparent; they represent good value for money; the service being charged for is being delivered. Estimated charges should be avoided but where they are unavoidable any over-payments will be refunded promptly.

### **3. Section 3 – Background to Recommendations**

#### **Recommendation 1**

3.1 Over 88 percent of survey respondents either did not know or commented that their PRP did not have a tenants' forum. Worryingly, of the remainder who stated that they had such a forum, only 16 percent felt satisfied that their views were listened to. The Group felt it crucial that tenants had the opportunity to raise issues and highlight areas where things were going well. The Group considered TLIP, the tenants' forum for our retained council housing, to be a model of best practice. Officers commented that a similar forum for PRPs was in operation at other local authorities, including London Boroughs. Such a forum would allow individual PRPs to learn about and work on common local issues, whilst ensuring that tenants had a voice and could raise local issues to their housing providers, who may operate in a much larger area than just the Wokingham Borough.

#### **Recommendation 2**

3.2 The Task and Finish Group strongly believe that each PRP should encourage their tenants to have a representative on the wider tenants' forum, as set out in recommendation 1. Where a PRP wishes to continue to operate their own forum in addition to the wider tenant's forum, the Group feel that the terms of reference should broadly align with those agreed for the wider forum, to keep discussions consistent. Some PRPs only have one tenant representative on their board, which might only meet on a 6-monthly basis. Such engagement was not deemed by the Group to represent proper tenant engagement.

#### **Recommendation 3**

3.3 A tenants' charter is a document, developed by tenants, which is designed to ensure all residents know what they can expect from their housing association landlord. The Social Housing White Paper and associated upcoming Social Housing Regulations Bill will provide a minimum framework for PRPs to work with. The Group asks that PRPs begin the process of developing their charters for properties within the Borough date when they will be obliged to do so by law. In addition, the Group hopes that PRPs will see the Government requirements as a starting point, and will encourage their tenants to build on and enhance these requirements.

#### **Recommendation 4**

3.4 Many Members had experience of residents contacting them as they were struggling to contact a local employee of their PRP. This was confirmed by the survey, as there were many comments from residents who stated that it could be difficult to contact their PRP about issues including repairs and maintenance, which led to delays and situations worsening. The Group feel that all tenants should have the contact details of a local community neighbourhood officer from their PRP, who could facilitate repairs and other works as they should have good knowledge and understanding of issues in the locality.

### **Recommendation 5**

3.5 Following on from Recommendation 4, Ward Councillors often found it frustrating to make direct contact with PRPs operating within their Ward. This was particularly difficult as residents would usually come to Councillors following a period of issues and difficulty communicating with their PRP, expecting Members to be able to escalate their issue directly. Provision of a central contact for each PRP, for both officers and Members, would ensure that issues were received by PRPs in a timely manner and did not get lost within the wider organisation.

### **Recommendation 6**

3.6 The Task and Finish Group felt that Borough specific performance data should be provided to WBC. As many PRPs were quite large organisations, it is not uncommon for officers to receive data that includes large swathes of a PRP's housing stock, including properties within London and other areas. This approach presents datasets which do not reflect the Borough. The Group therefore find it reasonable to expect PRPs to provide officers with Borough specific data, which can be used to monitor the performance of PRPs in the Borough more effectively in future.

### **Recommendation 7**

3.7 The Group considered a range of evidence regarding the delivery of social housing to meet the needs of the Borough from industry experts, officers and the Executive Member for Housing. Housing developers are required to deliver (or provide a commuted sum in lieu of delivery, where appropriate) forty-percent of housing as affordable provision. Housing officers assess the proposed delivery, and work with developers to ensure that these units meet the needs of priority groups within the borough. The Group request that PRPs work with our housing officers to identify opportunities for over delivery of affordable and social housing provision, over and above the number required by S106 agreements, to meet the needs of priority groups within the Borough. Any over delivery will help ensure that WBC can meet the needs of priority groups within the Borough, enabling residents to live locally to friends and family.

### **Recommendation 8**

3.8 At the onset of this Task and Finish Group, the Group were made aware that there was not an actively maintained list of PRP properties within the Borough. Officers are actively working with housing associations to address this issue. The maintenance of this list is key, as it provides officers and Members with information as to where social housing is located and which PRP is responsible for each property. The Group feels that the onus should be on the PRPs to provide this information on an annual basis, which can then be made available to Ward Members. Ward Members often identify problems when out in their wards, for example fly-tipping, and if these can be directly reported to a PRP it would speed up resolution.



### **Recommendation 9**

3.9 In order to allow housing officers to plan for provision of social housing for priority groups, it is essential that they are provided with forthcoming development programmes by each PRP. The Group feels it appropriate for this to be carried out quarterly, which will allow officers to accurately assess upcoming development to ensure that current housing need in the Borough is being addressed.

### **Recommendation 10**

3.10 PRPs ordinarily provide a 'welcome pack' of information to new tenants of social housing, providing them with key information about their property and local services. The Group feel that this is an excellent opportunity to inform new tenants about how to get involved in the tenants' forum, information about the tenants' charter, and to provide the most up to date local contact information for a neighbourhood officer within the PRP to help resolve any issues. Whilst some PRPs may already provide some of this information to new tenants, the Group hopes that a consistent approach across PRPs will allow residents to be better informed of local support available to them from day one.

### **Recommendation 11**

3.11 Approximately sixty-percent of survey respondents felt either neutral, satisfied, or very satisfied with their housing association overall. Unfortunately, this means that complaints about issues and service failures are very likely. The Group considered a range of cases referred to the Housing Ombudsman involving some of our current PRPs. This highlighted that there were examples of service failures and communication breakdowns for PRP operated social housing stock within the Borough. The Group asks that PRPs make every effort to resolve issues and complaints in a timely manner. Where tenants remained unsatisfied, PRPs should provide details of the Ombudsman process, whilst informing tenants that their local Ward Member(s) may be able to help advocate for them in this process. Many tenants may not be used going through such processes, and may find it helpful and reassuring to know that their local Ward Member(s) may be able to assist them.

### **Recommendation 12**

3.12 Members regularly received complaints from residents regarding high levels of service charges, and under delivery of services promised by such charges. Whilst officers had very limited recourse to query these charges, it should be incumbent on each PRP to ensure that any such charges represented value for money, were transparent, and ensured the delivery of said services. The Group were made aware of cases where PRPs had used estimated charges, resulting in a credit surplus for tenants which had not been refunded promptly. Whilst estimated charges should be avoided wherever possible, any credit balances need to be refunded directly to tenants promptly, rather than being put towards future credit.

## **WBC Overview and Scrutiny**

### **Preferred Registered Providers Task and Finish Group**

#### **Terms of Reference**

1. To look at the service provided by each of the Council's preferred registered providers (PRPs) and to compare performance with WBC's housing service, WBC housing companies and industry best practice.
2. To recommend minimum service levels which tenants will expect of PRPs and WBC housing.
3. To consider the Council's current approach to appointing and monitoring Preferred Registered Providers.
4. To consider the legal framework underpinning this process.
5. To consider the views of local stakeholders.
6. To consider the views of Housing Associations and WBC's own social housing stakeholders.
7. To consider examples of best practice.
8. To consider how tenant satisfaction, housing provider performance and other KPIs are measured by PRPs, WBC and other social housing providers.
9. To consider how appointment of Preferred Registered Providers could be improved to create a single excellent level of service, regardless of whether a resident uses a housing association or WBC provision.
10. To produce a final report to the Community and Corporate Overview and Scrutiny Committee and, subsequently, the Executive with recommendations for improvement.

#### **Witnesses**

- WBC Members and Officers;
- Residents, stakeholders and community groups;
- Experts/representatives from other local authorities;
- A variety of Housing Associations and Preferred Registered Providers;
- Any other witnesses approved by the Task and Finish Group.