

Appendix A



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Review of co-regulation, resident involvement and scrutiny

Executive Summary

I was commissioned to conduct this review into Slough BC's approach to co-regulation, resident involvement and scrutiny. Slough BC has a co-regulatory approach working through the Residents Board and Panels.

Recommendation 1 – That Slough Council restate its commitment to co-regulation and involvement with the objectives of a customer focused culture, improving services and meeting regulatory requirements.

Recommendation 2 - That to fulfill the requirements of co-regulation and the Tenant Involvement and Empowerment Standard that a conduit is set up between the Council and the Resident Board.

Recommendation 3 - The Terms of Reference for the Residents Board and Panels need updating including the conduit between the Council and the Residents Board, the new roles with RMI, Options Appraisal and accountability to residents.

Recommendation 4 - The 2016/18 Involvement Strategy cover the new areas of Option Appraisal, Neighbourhood Forums, Independent Agent for the RMI contract and Digital Inclusion.

Recommendation 5 – That there be an Annual Review of the Involvement Strategy including the Residents Board with a clear emphasis on outcomes.

Recommendation 6 – that the Gap Analysis be reviewed annually and reported to the Residents Board and Neighbourhood and Community Scrutiny Panel.

This will form the basis of the Council demonstrating regulatory compliance. An Action Plan should be put in place for any outstanding issues and monitored by the Council and Residents Board.

Recommendation 7 – that the RMI Independent Agent is appointed by and accountable to a group including Councillors and Resident Board Members.

Recommendation 8 – that work begin immediately on a Project Plan for the Option Appraisal.

Recommendation 9 – that members of the Resident Board and the Steering Group be given laptops and internet access to support their role. Support should be given to ensure that disabled resident members are able to operate on an equal footing to able bodied resident members.

Approach

I reviewed Terms of Reference for the Resident Board and Panels, relevant Cabinet and Scrutiny Committee reports, minutes and reports to the Resident Board and Panels, current policies and procedures, the last three satisfactions surveys and Performance Information. The list of documents are at Annex 1.

I carried out a full consumer compliance check, using the useful Gap Analysis prepared by Karen Lewis as a starting point (Annex 2). I visited Slough BC and met with:

John Griffiths, Head of Neighbourhood Services
Liz Jones, Phil Brady and Tony Turnbull, Neighbourhood Managers
Cllr Darren Morris
Barbara Goldstein, Chair STAG
Four Residents Board members
Karen Lewis, Information and Participation Manager

I also spoke with three Residents Board members by phone. I am grateful for the time and positive commitment to this review from all I met.

Background

The current structure was put in place following a review in 2014. As a result the then Slough Customer Senate agreed to disband and instead a new structure was agreed with a focus on co-regulation and resident scrutiny. All social landlords, including Slough BC, are subject to regulation and four consumer standards. Co-regulation places the responsibility for delivery of landlords' objectives and compliance with the regulatory standards with councillors, subject to being held to account by tenants.

The four customer standards are covered by the Repairs and Maintenance Panel (Home Standard), Neighbourhood and Complaints Panel (Neighbourhood and Community Standard, Tenancy Standard) all reporting to, through resident Vice Chairs, the Resident Board (the Tenant Involvement and Empowerment Standard).

The intention is for Slough to be co-regulatory in its approach. There is also a wider ambition shared by residents and staff alike for Slough to be a first rate landlord.

Recommendation 1 – That Slough Council restate its commitment to co-regulation and involvement with the objectives of a customer focused culture, improving services and meeting regulatory requirements.

Current Structure

Slough BC has a Cabinet system, with both an Overview and Scrutiny Committee and a Neighbourhood and Community Scrutiny Panel. Although reports are received around housing issues, there is currently little scope for resident input.

The **Neighbourhood Services Resident Board** has Terms of Reference (TOR) dating from 2014/15 which refer to the then title of Transformation Board. The Board has overarching responsibility for the following:

- Co-regulation and scrutiny monitoring
- Scrutinise the Tenant Involvement and Empowerment Standard
- Formal sign off of housing policies
- Access and Customer care

The Terms of Reference for the Board and Panels were approved by the Panels and signed off by the Board. There was no councillor input or approval. There is no link with councillors at the moment.

This is inconsistent with the principles of co-regulation.

Recommendation 2 – That to fulfill the requirements of co-regulation and the Tenant Involvement and Empowerment Standard that a conduit is set up between the Council and the Resident Board.

One option is for three Resident Board members to join the Neighbourhood and Community Services Scrutiny Panel and for the Resident Board to have an agreed route to the Panel (and Cabinet) for reports, policies, recommendations and annual reviews of regulatory compliance and the Board's own performance.

A distinctive characteristic of the Board and Panels is their joint membership of residents and Officers (although residents have to be in the majority) and the Chair being the Information and Participation Manager (with no voting rights). I did question resident Board members about the arrangement for the Chair. They were clear that this supported their understanding of issues, interaction with the Council and had led to a positive approach, which was confirmed separately by officers.

The Board has signed off policies such as Tenancy Management, Mobility Scooter and Pets. The Board also signed off the Tenant Involvement Strategy 2015/17 jointly with the head of Neighbourhood Services. It would be helpful for clarity about the role of the Board in approving, or recommending policies for approval.

Membership includes 5 tenants, 3 leaseholders and 3 Neighbourhood Managers all with equal voting rights. This includes residents with a range of backgrounds and skills. Residents must be in a majority for meetings to take decisions. There is no clarity about membership or appointment of additional resident members in the TOR. Although not in the TOR the Panel Vice Chairs are resident members of the Board. The TOR refers to a final meeting on 24th June 2015.

Recommendation 3 - The Terms of Reference for the Residents Board and Panels need updating including the conduit between the Council and the Residents Board, the new roles with RMI, Options Appraisal and accountability to residents.

This should include:

- a. Relationship with Neighbourhood and Community Services Scrutiny Panel (membership and sending reports)
- b. Delegation about their role in agreeing and/or recommending policies and strategies
- c. Repairs, Maintenance and Investment (RMI) selection process
- d. Role as a Designated Person for Complaints
- e. RMI Independent Agent appointment and overseeing body
- f. Options Appraisal Steering Group
- g. Key Performance Information
- h. Gap Analysis of Consumer Regulatory Compliance and Action Plan
- i. Involvement Strategy
 - i. Approval
 - ii. Monitoring
 - iii. Annual review including impact
- j. Resident Board Annual Review
- k. Council Annual Report to Tenants
- l. Accountability to residents through
 - i. Annual Review
 - ii. Links to Neighbourhood Forums
 - iii. Links to wider involvement

The Board also receives reports on the Satisfaction Survey and updates on the RMI commissioning. There are regular updates from the Vice Chairs on the Panels plus from the 3 Neighbourhood Managers. Key Performance Indicators are reported to the Board quarterly. These are, by request, by exception reports.

The **Repairs and Maintenance Panel** is responsible for the Home Standard which includes quality of accommodation, repairs and health and safety. It holds monthly meetings. Their Terms of Reference cover explicitly the recommissioning of the RMI contract. Their agendas include voids, recharges, current and proposed repairs contract, Slough Standard for repairs, gas servicing and compensation policy The Panel reports quarterly to the Board.

There was a Repairs workshop following the 2014 Satisfaction Survey. This set out 7 recommendations for improvement. These were used at a staff Repairs and Maintenance Conference to help structure debate and solutions.

The **Neighbourhood and Community Panel** was responsible for the Neighbourhood and Community Standard including neighbourhood management, local area co-operation and ASB. The agendas included Street Drinkers, Tenancy Sustainment, Resident Satisfaction Survey, Neighbourhood Managers, Estate Inspections, ASB and Public Space Protection Orders.

Complaints and Information Panel. The Panel was responsible for complaints, enquiries, information, Equality and Diversity, allocations and policies generally. It is a Designated Panel recognised by the Housing Ombudsman. The agendas included Complaints performance and monitoring, Complaints procedure, relaunch of mystery shopping, communications, Introductory Tenancies, Pets Policy, Tenancy Standard and the Arvato Contract. Two complaints have been heard and addressed.

Neighbourhood and Complaints Panel is a recent amalgamation of the Neighbourhood and Community, and Complaints and Information Panels.

The **Service Improvement Team** comprises over 200 Mystery Shoppers on topics identified by the Board and Panels. There is a Mystery Shopping Report from January 2016 covering 28 calls. It outlined clear issues with call answering. There are some issues about how this can be progressed. There was an earlier exercise about responding to complaints. Feedback was given to members of the Service Improvement Team on both exercises.

Virtual Readership Panel. The Panel is responsible for a range of documents including the Annual Report, newsletters and surveys. The Resident Approved stamp is a sign of easily readable documents.

The **Resident Involvement Strategy 2015-17** is a 24-page strategy with very clear coverage of four consumer standards through the Panels. The Strategy is a Resident Approved document. The broad intent is for residents to:

- Influence decisions
- Test quality of services and experiences
- Have a wide range of opportunities to be involved
- Co-regulate and scrutinise

It seeks clear service standards, including local standards, and range of opportunities including a Participation Toolkit. However the Service Standards are out of date and the Participation Toolkit has not yet been developed. There are some deliverables in Section 5. Monitoring is through the Board quarterly meetings and annual renewal of the Strategy.

Over time traditional involvement approaches such as Tenant and Resident Associations have declined and now cease to be the main route for involvement. Satisfaction Survey returns show substantial interest in three avenues for involvement – resident inspectors, commenting by email and giving views on tenders.

There is an opportunity to put in place a wider approach to involvement including digital inclusion. Access to the internet in 2014 stood at 74% for tenants and 87% for

leaseholders in Slough. This will have increased further in line with Slough BC's on-going Digital Transformation project. Some residents cannot, or will not access the Internet. For them other involvement mechanisms will still apply.

There are further opportunities around both the RMI commissioning and monitoring, and the forthcoming Option Appraisal. There are proposed to be Neighbourhood Forums set up to support accountability and monitoring of the RMI contract. Likewise the Option Appraisal will require a comprehensive approach to engaging residents.

It is important that the rationale for involvement is set out clearly in the Strategy and emphasises the Council's commitment to both the cultural and service delivery benefits of involvement.

Recommendation 4 - The 2016/18 Involvement Strategy cover the new areas of Option Appraisal, Neighbourhood Forums, Independent Agent for the RMI contract and Digital Inclusion.

It is important that that there is accountability for the Council's investment in the Involvement Strategy. This has been notoriously difficult to demonstrate in terms of outcomes and few landlords have done so convincingly. This may have led to investment in resident involvement nationally falling sharply over the past five years. A robust approach will need to be taken to demonstrate to councillors and residents those benefits of involvement. One good example was the role of the Residents Board in proposing the use of injunctions for access which led to a marked improvement in outstanding gas safety checks.

There also needs to be accountability for the Board and Panels through an annual review, including appraisal, as part of the annual review of involvement and an annual report (in addition to the Annual Report to tenants). These should be made publicly available.

Recommendation 5 – That there be an Annual Review of the Involvement Strategy including the Residents Board with a clear emphasis on outcomes.

Satisfaction Surveys

There have been three thorough satisfaction surveys in 2013, 2014 and 2015. These show a fair level of satisfaction generally but with some specific areas needing improvement. These include mutual exchanges, listening to tenant views, ASB resolution, getting hold of the right person, complaint handling and leaseholders generally. The issues raised in the 2015 survey were well addressed (if not resolved) in Streets Ahead.

Consumer Compliance Check

The Gap Analysis prepared by the Involvement and Participation Manager is well considered and formed the basis of my check. I have proposed some technical changes to the format, which can help future Gap Analyses be more thorough. My

Consumer Compliance Check highlights a number of issues to be met by the Council to ensure regulatory compliance. The Involvement and Participation Manager has converted this into an Action Plan (Annex 3).

Although the focus of the Social Housing Regulator is on economic standards, and there is a 'serious detriment' consideration before taking any action on consumer standards the Regulator does take action on those standards. This has included a number of Housing Associations and Councils who were downgraded or issued with Regulatory Notices following issues with gas and fire safety. It also includes Circle Anglia¹ who were given a double downgrade following chronic failures of its repairs and maintenance service, and Blackpool Council² after a collapse of a balcony at a block of flats (for which it was fined £50,000 by the High Court). The Consumer Compliance check, and fulfilling the Action Plan will demonstrate regulatory compliance. A review of the Health and Safety policy, now overdue by 12 months, is a priority.

Recommendation 6 – that the Gap Analysis be reviewed annually and reported to the Residents Board and Neighbourhood and Community Scrutiny Panel. This will form the basis of the Council demonstrating regulatory compliance. An Action Plan should be put in place for any outstanding issues and monitored by the Council and Residents Board.

RMI bidding process

Residents through the Repairs and Maintenance Panel have set the Slough Standard for repairs, maintenance and investment services. The bidding document has clear expectations around customer service, personalised information for residents, tenant & leaseholder engagement, incentivisation of customer satisfaction, improve understanding of customers and helping customers use digital.

There is an expectation that residents influence local works and local standards through Neighbourhood Forums. There will be joint commissioning with Residents Board of Independent Auditors. These need to be report to a group involving councillors and Resident Board members. This group might be able to take on other functions going forward for the Council.

The Neighbourhood Forums are designed around the RMI contract but will be set up in advance. The Neighbourhood Managers, supported by the Information and Participation Manager, will lead the setting up of the Forums. There was an open mind on what form the Neighbourhood Forums should take and not necessarily being a traditional meeting. The Options Appraisal process offers an opportunity to trial different routes before making a decision.

Recommendation 7 – that the RMI Independent Agent is appointed by and accountable to a group including Councillors and Resident Board Members.

Options Appraisal

¹ <http://www.insidehousing.co.uk/regulator-slams-giant-landlord-for-chronic-repairs-failings/7009146.article?adfesuccess=1>

² <http://www.insidehousing.co.uk/landlords-exposed-tenants-to-potential-serious-harm/7007711.article>

The Options Appraisal will require a step change in tenant and leaseholder involvement in Slough. Given current Government policy there will need to be a more nuanced set of options rather than the usual choices of Stock Transfer, retention, ALMO and PFI. It will also be important to consider the best ways of residents playing a role in these options including community led models. There will be tenant and leaseholder engagement at all stages of the Option Appraisal.

The Council will want to be open about the drivers for the Options Appraisal and update tenants and leaseholders as information comes from the stock conditions survey and other advisors. The Council will also want to ensure understanding and support for tenants and leaseholders during the process.

It would be important to set up a Consultative Commissioning Group consisting of members and Council tenants and leaseholders to review the Housing Revenue Business Plan, the Housing Strategy and to be the lead consultative group on the Options Appraisal for the Council's housing stock. This should include members of the Resident Forum as well as other residents recruited specifically for the Commissioning Group. The Commissioning Group will be supported and I have been asked to provide support.

This will require an initial and flexible project plan to ensure the consultation is informed and robust. Immediate issues would include key messages, setting up on-line forum, Facebook page and twitter feed. These would help with an initial invitation to the Housing Strategy event and begin the process of identifying how residents want to be involved.

The Housing Strategy event on 6th December would be an opportunity to 'launch' the Options Appraisal consultation and there should be a second event on an evening for those unable to make the daytime event. These events will be an opportunity to be clear about the drivers and seek views about the consultation methods to be used. It is also an opportunity to identify people for the Steering Group (and the Board and Panels).

There would need to be an evolving engagement plan for the Option Appraisal dependent on feedback from residents and the Steering Group. The Council will want to try a range of methods of involvement including traditional meetings and digital involvement. There should be meetings in each of the three areas designated for the Neighbourhood Forums which should help with options for how best those Forums progress. It will also be worth trying some innovative approaches such as Participatory Forums, where residents are faced with the situation councillors have in 2022 and handheld voting pads at meetings for quick feedback. Other approaches to be considered include a survey of tenant and leaseholder priorities, utilising the Council's wider community development approach and engaging local stakeholders with access to groups that are harder to involve.

Recommendation 8 – that work begin immediately on a Project Plan for the Option Appraisal.

Members of the Resident Board have a busy year ahead of them. As well being members of the Board they may also be asked to play roles on the Neighbourhood and Community Services Scrutiny Panel, RMI Independent Agent group and the Option Appraisal Steering Group. Currently they receive expenses. They, and other resident members of the Option Appraisal Steering Group should have access to laptops or tablets and the internet. Experience elsewhere shows that it can be difficult to progress this basic principle. In addition there is currently a registered blind member of the Residents Board who would benefit from a software programme that would help them operate on the same basis as abled bodied members.

Recommendation 9 – that members of the Resident Board and the Steering Group be given laptops and internet access to support their role. Support should be given to ensure that disabled resident members are able to operate on an equal footing to able-bodied resident members.