



**Cabinet**  
**24 April 2017**

**Report from Strategic Director,  
Community Wellbeing**

Wards affected: All Wards

**Housing Management Options Review: outcome of formal consultation**

**1.0 Summary**

- 1.1 In November 2016 the Cabinet agreed that the preferred option for future housing management service provision to the Council's tenants and leaseholders is an In-house service, subject to consultation.
- 1.2 This report sets out the outcomes from the formal consultation exercise undertaken.
- 1.3 The primary means of consultation, a survey, found that for every respondent who expressed support for the continuation of the service through Brent Housing Partnership Ltd (8.1% in total), 6 respondents supported the Cabinet's preferred option (49.1% in total). The majority of the other respondents did not express a view, did not mind or were undecided.

**2.0 Recommendations**

- 2.1 Cabinet agrees to cease the delegation of housing management functions and other delegated roles to Brent Housing Partnership Ltd and seeks termination of the Management Agreement with Brent Housing Partnership Ltd.
- 2.2 Cabinet agrees to giving Brent Housing Partnership Ltd. notice of its intention to cease its delegation of housing management functions and other delegated roles and its consequent wish to terminate the Management Agreement.
- 2.3 Cabinet agrees to delegate to the Strategic Director Community Wellbeing the power to take all necessary and required steps to achieve the above recommendations in consultation with the Chief Legal Officer (on legal issues), Chief Finance Officer (on financial issues), Director of HR & Organisational Development (on HR issues) and the Cabinet Member for Housing (on strategic issues).

### **3.0 Introduction**

- 3.1 In June 2016, the Council's Cabinet decided to carry out a review of how its own housing management services is delivered. Set out below is a summary of the outcome. The full Review of Housing Management Options Report and a summary are available on the Council's web-site. ([www.brent.gov.uk/housingreview](http://www.brent.gov.uk/housingreview))
- 3.2 Housing is an executive function of the Council and therefore the statutory rules require that the final decision on the future operation of the Council's housing management service, at present administered by Brent Housing Partnership Ltd (BHP), has to be made by Cabinet. However, as it is considered to be a matter which has major significance, it was referred to a special meeting of Full Council on 20 April 2017 to give all members the opportunity to consider the outcome of the formal consultation undertaken by the Council. Due to the close proximity of the Full Council meeting and this meeting, the views of members cannot be included in this report but will be reported to Cabinet before it makes its final decision.

### **4.0 Background and Context for Review**

- 4.1 BHP, the Council's Arms-Length Management Organisation (ALMO) was established by the Council in 2002 principally because it provided a vehicle to obtain funds to undertake the works necessary to meet the Decent Homes Standard. In addition, the Council sought to improve the quality of services provided to tenants and leaseholders
- 4.2 Two main considerations prompted the review. First, the Housing and Planning Act (2016) and other government measures will impact on how the houses are used, managed and financed. Second, there have been concerns over the performance of BHP.
- 4.3 The review looked at three options:
1. To continue with BHP on a reformed basis
  2. To bring the service back in-house
  3. To enter into partnership with another organisation to provide the service
- 4.4 Consultation on the review included:
- targeted telephone survey of representative group of 600 tenants and leaseholders focus groups of tenants and leaseholders,
  - interviews with young tenants and vulnerable people,
  - a workshop for resident association and other resident representatives,
  - a meeting with board members,
  - workshops with BHP staff; and
  - briefing sessions with Members of the Council.
- 4.5 The Council owns almost 11,500 homes, mostly flats on small and medium-sized estates, with around 7,700 tenants and 3,700 leaseholders. Around 43,000 people live in these homes - over 1 in 8 of Brent's population. Around a third of tenants are over 60, 4% have a disability and 8% have a vulnerability of

some kind. The Council is responsible for management and maintenance services and has delegated these to BHP since 2002, under a Management Agreement. BHP is a company with a Board of 13 people comprising residents, Councillors and independent persons with an independent chair. BHP provides all landlord services, directly or through contracts, including:

- Tenancy Management – e.g. lettings, rent collection, resident engagement, Right to Buy and the oversight of two Tenant Management Organisations.
- Leaseholder Management – e.g. service charges and major works.
- Property services – e.g. estate management, repairs and major works
- Development services – the delivery of a new-build programme on existing estates

### **BHP Performance**

- 4.6 Following performance concerns, a jointly agreed Recovery Plan was put in place by BHP from January to October 2016. Progress has been made in several areas, such as the planned maintenance programme and responses to customer service requests. Whilst in relation to other benchmarked housing providers the service is largely in the mid-range, some areas for ongoing improvement remain including customer satisfaction with repairs, the quality of homes, anti-social behaviour and resident involvement. Consultation with tenants and leaseholders showed particular concern over repairs and maintenance, anti-social behaviour and the quality of homes.

### **The Options**

- 4.7 The options considered in the Review needed to respond to the weaknesses in the current service while generating efficiencies and savings to respond to the financial pressures arising from the government's reforms as well as other changes such as the expansion of digital technologies. The options also needed to be consistent with Brent Council's Housing Strategy priorities. All the options, briefly explained below, have some common features and common aims as well as significant differences:

- i. A **Reformed BHP** would not simply continue as before. Changes to service delivery would be required and governance would be through a smaller, skills-based board and a strengthened client-side function within the Council. Better customer engagement and resident involvement would be needed and a new leadership team would be recruited.
- ii. An **In-house service** would provide for integration with the Council and its services, with governance through the Council's corporate management to Cabinet. Loss of the board would require alternative arrangements for oversight by residents and Members.
- iii. The **Partnership** option represented a more significant change. This would have involved the setting up a form of Joint Venture or housing services company with a partner organisation. The details of how this would work would have had to be agreed.

### **Evaluation of the Options**

- 4.8 The options were examined to assess how far they were able to:

- Assure provision of modern, high-quality housing management services

- Achieve significant efficiencies and savings
- Get the most out of the value and performance of the Council's housing stock
- Contribute to improved outcomes for tenants
- Contribute delivering the Council's priorities

4.9 It was found that each option could meet these tests, but each has strengths and weaknesses. The Review found that the best prospect for savings would be either the In-house or Partnership option, while the In-house option provides for the most effective strategic and operational control.

4.10 While each option could work, the Review also looked at how each could be put in place. The Reformed ALMO is the most straightforward option as it does not require consultation. For the In-House option, it would be necessary to consult tenants and leaseholders before seeking final approval from Cabinet. The Partnership or Joint Venture option would also require consultation but, if agreed, would then take time to set up, with an assumption that this could not be done before April 2018.

#### **Preferred Option**

4.11 The In-House option offers the best opportunity to make savings and provides the strongest levels of control. This option also better positions the housing service within the Council's wider agendas to secure improved outcomes for residents. It will be necessary to look at how this option will address Member and resident engagement and there are various options that could be pursued. For example a Members and residents committee may overcome the loss of the ALMO Board under the In-House option.

4.12 In conclusion, taking into account the challenging financial landscape, and all other factors outlined above, it was recommended that the In-House option be chosen subject to consultation – it is this that this report deals with.

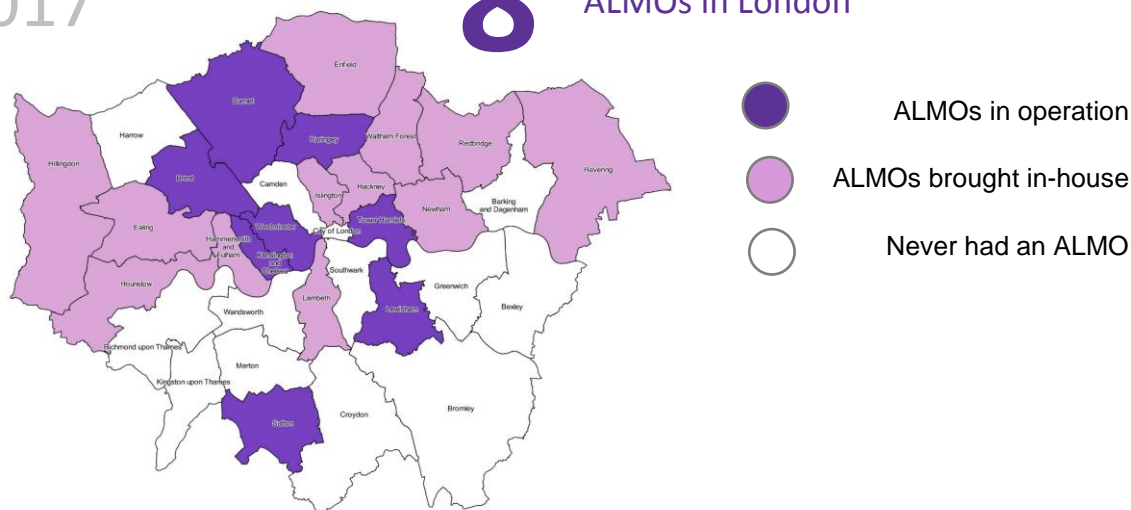
## **5.0 Other Councils**

5.1 Out of the 32 London Boroughs, 20 set up ALMOs and of those there are only 8 still in existence – the rest have had the housing management service taken back in-house to be operated directly.

2017

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ALMOs in London



## 6.0 Formal requirements to consult

- 6.1 In accordance with Section 105 of the Housing Act 1985, the Council is required to consult with and have regard to the views of tenants before making a final decision on a matter of housing management. The proposal to bring the service back in house falls within that requirement and therefore the Council has undertaken a process including a 'test of opinion' of Council residents which meets that requirement.
- 6.2 The process was devised to comparatively meet the consultation undertaken prior to the establishment of the ALMO in 2002. This follows guidance from the Department of Communities and Local Government, namely, 'Review of Arms Length Housing Management Organisations' issued in June 2011 which set out that a test of opinion on changes to the Local Authorities housing management arrangement should be as good as that which was undertaken before the setting up of the ALMO. According to available information the following were the key elements of the consultation undertaken at that time, prior to the establishment of BHP:
- A sample survey of residents (i.e. not all residents were asked for their views)
  - A number of meetings were held across the borough for residents to hear the proposals and raise queries
- 6.3 The survey of all residents plus the 9 meetings that have been held as the central aspects of the recent consultation undertaken exceed the minimum standards required.

## **7.0 Raising awareness and understanding**

- 7.1 The process for consultation has been planned to cover a 3 month period which began in mid-December 2016 and was completed on 17 March 2017. It was recognised that before asking for the opinion of tenants and leaseholders on the Council's proposal there needed to be an information giving stage.
- 7.2 Accordingly, considerable effort has been put into seeking to raise the understanding of the issues which the council considered within the review. In summary the ways this has been done are:
- **Newsletters** – there have been 2 of these which were sent to all tenants and leaseholders. The first, which focussed upon the performance issues, the need to make savings and why improvements are necessary, was sent in December 2016. The second, which focused on taking the service forward was sent in February 2017. Copies of these are on the website.
  - **Website** – this has been available since the beginning of the consultation period in December – the link is [www.brent.gov.uk/housingreview](http://www.brent.gov.uk/housingreview). This has provided ready access to all the key documents, the review report and the report that went to the Cabinet last November. Copies of the newsletters plus information on the consultation process have also been available through this link.
  - To facilitate ease of access and for people to be able to raise queries, a dedicated phone line to the Contact Centre has been publicised along with a direct email address– [housingpartnerships@brent.gov.uk](mailto:housingpartnerships@brent.gov.uk) and a freepost address set-up through the Royal Mail.
  - Early during the survey consultation period (see below) an email was sent to all those tenants and leaseholders for whom such records are held and a text message was sent to those whose mobile numbers are held.

## **8.0 Consultation with residents (tenants and leaseholders)**

- 8.1 Principally this has taken 2 forms:
- a. Drop-in events – there were 9 of these (see below)
  - b. A survey of all tenants and leaseholders undertaken independently by ERS.
- 8.2 **Drop-in events**
- A series of drop-in events were held during the last 2 weeks of the consultation with the aim of providing people who had queries to be able to raise these and discuss any concerns they may have regarding the proposal. These events were both daytime and evening and held at 6 different centres across the Borough. The events were promoted through:
- The website
  - 200 Posters being erected on estate/block noticeboards

- A leaflet sent out with the survey forms by ERS and also in the reminder to respond sent by ERS.

8.3 Altogether there were 299 persons attending these sessions of which 68% were tenants and 32% leaseholders. Appendix 3 provides more details of how many attended which event but the sessions were able to accommodate both persons who had individual issues they wished to raise regarding their tenancy and also persons who were keen to engage in a small group style discussion. Amongst those participating in facilitating the group discussions was the Leader of the Council, Cllr. Butt, the Cabinet Member for Housing, Cllr. Farah and the Chief Executive, Carolyn Downs – each of whom attended 3 of these sessions.

8.4 Of those attending there were 53 persons who expressed an interest in becoming involved in working with the Council on improving the service of whom 23 are leaseholders. Apart from the discussion groups – which were wide ranging in relation to the service and its future – there were 97 persons who took the opportunity to raise issues related to their tenancy or lease which have been followed up by BHP since these sessions.

#### 8.4 **The ERS Survey of all tenants and leaseholders**

The purpose of this, the most significant exercise, was to allow all residents (tenants and leaseholders) to have the opportunity to give their feedback and opinions in relation to a single question which was:

- *What are your views about the Council's proposal to move the housing management service back under its direct operation?  
This would mean the service would no longer be provided by Brent Housing Partnership (BHP).*

8.5 The survey commence around 17 February 2017 and concluded at midnight on 17 March 2017. Persons were able to respond by: post; online; over the phone and by SMS text. Those who hadn't responded by the middle of the four week period were sent a duplicate of the questionnaire by ERS as it is recognised that people can mislay such documents despite being keen to complete them.

8.6 In addition to those residents responding themselves through the above methods, the Council asked ERS to contact directly 600 residents (500 tenants and 100 leaseholders) in order to ensure that the outcome was reasonably representative of the population, location and tenure of the Council's properties. This was carried out simultaneously to the rest of the survey. However none of those respondents have been double counted.

The level of response:

Altogether 2937 residents completed the survey which is a response rate of 26%. If the 600 telephone surveyed responses are discounted this gives a net response rate of 20.4%.

8.7 This level of response is compared to:

- Hackney – 18%
- Hounslow – 24%
- Waltham Forest – 5.4%
- Wigan – 0.76%

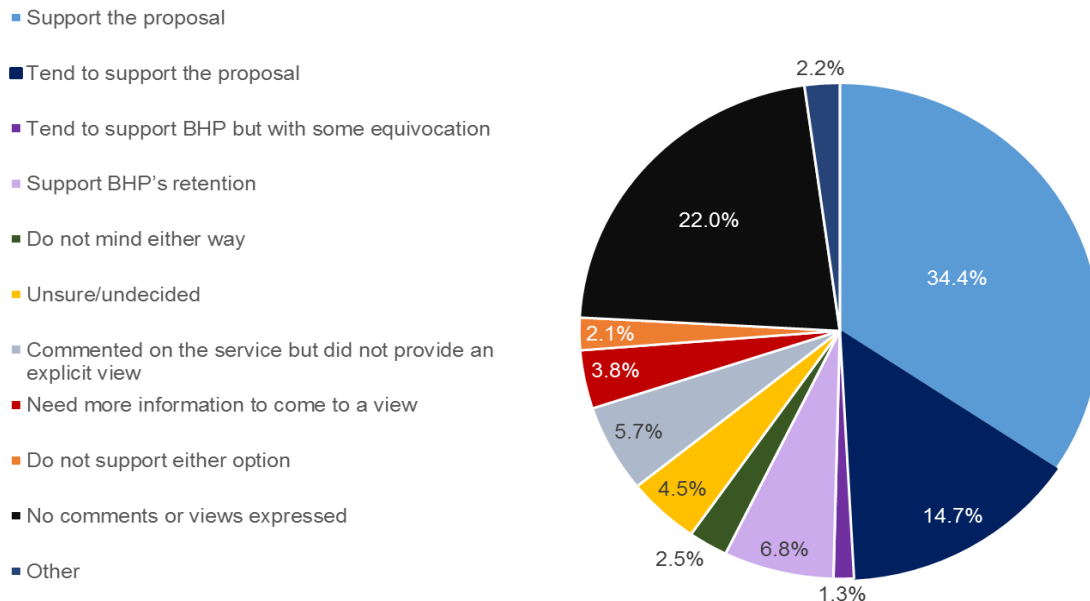
These councils, which all had ALMOs, had conducted surveys of a similar nature to the one undertaken by Brent.

## **Summary of ERS's findings**

- 8.8 The full report from ERS is attached at Appendix 1.
- 8.9 The purpose of this consultation was to gauge opinions and gather feedback from tenants and leaseholders, evaluate their attitudes towards the proposal and identify any concerns they might have. This is usually referred to as a test of opinion.
- 8.10 Overall, nearly half (49.1%) of respondents support (34.4%) or tend to support (14.7%) the Council's proposal to move the management of its housing services under its direct operation:
- Leaseholders were more likely to favour the proposal, with 55.6% supporting the decision with or without some equivocations, compared to 47.3% of tenants. Most of these respondents said they have had negative experiences with BHP and/or believe that moving the housing stock under the Council's direct control could improve the service, overall performance and reduce costs.
  - By contrast only 8.1% (6.1% leaseholders and 8.8% tenants) supported or tended to support the retention of BHP. These respondents commented on the high quality of service received from BHP, had not experienced any issues and thus are not in favour of any change.
- 8.11 22% did not express any views – of the remaining 21%:
- A very small proportion (2.5%) do not mind either way;
  - Some did not provide an explicit inclination towards one or the other provider (5.7%);
  - Some are unsure (4.5%);
  - Some felt they needed more information to form an opinion (3.8%); and
  - there are those who do not support either option (2.1%).



## Survey Outcome – responders views on the Council’s proposal



During the consultation, many respondents commented on the service provided by BHP. The most common areas of improvement concerned query response times, communication and customer service, maintenance and repairs, security and safety and the use of contractors.

### 9.0 Other consultation undertaken

9.1 A meeting was held with the Brent Network of Residents' Associations on Saturday 11 March which was attended by 28 tenant and leaseholder representatives. This gave them an opportunity to hear what the Council is proposing and for them to raise any queries they had. It also was utilised for them to update their 'hopes and fears' on the Council's proposal which was originally produced as part of the review process. This is attached as Appendix 4.

9.2 Meetings have also been held with the 2 Tenant Management Organisations (TMOs):

- Watling Gardens TMO (180 properties);
- Kilburn Square Co-op (249 properties).

These 2 bodies pre-date the establishment of BHP and have a contract under a modular management agreement to undertake the management of the properties they have responsibility for. Their supervision has been carried out on the Council's behalf by BHP. It is not envisaged that their continuity will be affected by the Council's proposal.

9.3 With regards to the Council's proposal and their relationship with BHP the following were matters raised but not necessarily by both TMOs:

- Communications with them and with residents in general

- Recognition of their role and existence when there are issues which affect their estates
- The potential for working together in partnership is not being realised
- Lack of progress on finalizing their revised management agreements
- Over the last few years their view is that BHP's quality of service "went down hill"

## **10.0 Employee Engagement**

- 10.1 There have been regular staff briefings during the formal consultation phase of this project. In addition BHP staff were given the opportunity to play a part in the consultation events and their contribution was valuable.

## **11.0. Conclusion and next steps**

- 11.1 The level of responses to the survey was very good and the considerably greater support amongst tenants & leaseholders for the Cabinet's preferred option compared with the support for the status quo is considered to be significant and decisive. The level of responses to the survey was very good and the view of tenants & leaseholders on the Council's proposal is decisive. However, independently of the consultation, joint work has already begun to improve the service now, plan for a more fundamental transformation of the service and a smooth period of transition back to the council if the recommended decision is made.
- 11.2 The BHP Board retains accountability for the service, but additional forums have been put in place to advance joint working to improve the service now, and to plan for the future. It also ensures that there is a collaborative and inclusive approach and that we communicate a single message to employees.
- 11.3 The Housing Operations Transformation Board, chaired by the Council Chief Executive and involving senior managers from both organisations is leading the:
- delivery of 'quick wins' that are already improving the service;
  - design and implementation of the transformation of the housing management service. The BHP Board and the Council agree this needs to happen whatever the decision, and so work has already started working with staff to design the new operating model. Residents will also be involved in this process over the summer;
  - preparation for transition if the decision is made to bring the service back in house, ensuring we are prepared for the practical legal, financial and HR issues that will need to be managed.
- 11.4 The Resident and Member Panel, chaired by the Cabinet Member for Housing, Cllr Farah, is an advisory group that brings together Councillors and the resident BHP Board members to focus on:
- commenting and advising on the work done to deliver the consultation, providing and encouraging constructive challenge
  - commenting on the Housing Operations Transformation, and
  - if the decision is made to bring the housing operations service into the Council, this group will be part of the process of developing a housing

scrutiny function and improving the wider resident engagement approach.

- 11.5 Cross cutting both of these groups are two key issues:
- Resident engagement. BHP conducted a review late in 2016 in order to start the process of improving resident engagement. This work has now been taken on by the Housing Operations Transformation programme. This will ensure that resident feedback and engagement is at the heart of the new operating model, and that we engage positively and constructively with residents to establish new structures that are not merely consultative but genuinely involve consumers of the service in the improvements they wish to see, and
  - Scrutiny. Working with the Resident and Member Panel, and with other stakeholders, through April a proposal for a new housing scrutiny function will be developed and brought to the Annual General Meeting of the Council in May 2017 for implementation thereafter.

## **12.0 Financial Implications**

- 12.1 The Housing Revenue Account (HRA) budget is £56.1m and is used for the management and maintenance of the HRA stock and for the repayment of the HRA debt. The HRA is a ring fenced account. The BHP Management Fee for the current year is £7.5m. This fee is for managing and maintaining the HRA properties on behalf of the Council. Core management costs, including this fee are £12.5m per annum.
- 12.2 The Housing and Planning Act 2016 will have a significant impact on Brent's Council housing and its financial position in coming years. The implications for which are continuously being reviewed with more comprehensive analysis to follow once the details are published by Government.
- 12.3 Based on current assumptions and changes in the Housing and Planning Act, an efficiency savings target of circa £3.6m would be required to balance the HRA if the current assumptions on changes materialise.
- 12.4 The savings to the HRA upon the initial implementation of the in-house housing management service are estimated to be £1m pa. These are provisional figures and will be refined as planning for the implementation of the selected option is progressed.
- 12.5 The decision to bring the housing management service in house alone is not sufficient to cover the gap without wider transformation. This, then, reinforces the need for further transformation in the service.

## **13.0 Legal Implications**

- 13.1 Consultation with secure tenants is covered under section 105 of the Housing Act 1985 ("the 1985 Act") which states that a local authority landlord has to maintain arrangements it considers are appropriate to enable its secure tenants who are likely to be substantially affected by housing management matters that are specified in section 105 of the 1985 Act (which includes the management

of dwelling houses let by the Council under secure tenancies) to be informed of the local authority's proposals and to make their views known within a specified period. A local authority landlord needs to take into account any representations made under these arrangements before making a final decision.

- 13.2 As for the general requirements of consultation, they are set out in the case of *R v Brent LBC ex parte Gunning* (1986) 84 LGR 168, which has been approved by the Court of Appeal and the Supreme Court, and they are as follows: (i) consultation must be at a time when proposals are at a formative stage; (ii) that the proposer must give sufficient reasons for any proposal to permit intelligent consideration and response; (iii) adequate time must be given for consideration and response; and (iv) the product of consultation must be conscientiously taken into account in finalising any statutory proposals.
- 13.3 Delegation of housing management functions by a local authority requires consent from the Secretary of State under section 27 of the 1985 Act. In 2009, the Secretary of State issued a general consent which sets out circumstances in which delegation of housing management functions can be carried out without specific consent from the Secretary of State.
- 13.4 BHP is a subsidiary company of the Council. BHP's Constitution is made up of its Articles of Association and Memorandum of Association. BHP is a limited company, without share capital, which operates on a not-for-profit basis and the Council is the sole guarantor member.
- 13.5 The Council entered into the Management Agreement with BHP in April 2013 which expires after ten years with a review mechanism after seven years. Whilst there are provisions in the Management Agreement which enable the Council to terminate it in cases of default, there are no express provisions allowing for termination on notice. The parties can however agree early termination of the Management Agreement.
- 13.6 In April 2011, BHP was granted Registered Provider status by the Tenants Services Authority. BHP has gradually been developing its role as a provider of housing in addition to being a housing management organisation. BHP owns a number of properties in its own right and grants its own tenancies in respect of properties it owns. BHP acquired Granville New Homes from the Council in 2009 (with the assistance of loan funding from the Council) and acquired properties under the Settled Homes Initiative to provide housing to homeless households (with the assistance of grant funding from the Homes and Communities Agency and loan funding from the Council) and has also acquired small-scale developments such as Aldbury Avenue and Ander Close (with the assistance of grant funding from the Homes and Communities Agency). Further legal advice will be provided as and when necessary in regard to these matters.
- 13.7 If a decision is to be made to bring the housing management services in-house, there will be staff transfer and TUPE implications. Further legal advice will be provided as and when necessary in regard to these matters.
- 13.8 Guidance given by the Department for Communities and Local Government ("DCLG") in December 2011 advises that consultation on proposing to bring the housing management functions from the Arms Length Management Organisation ("ALMO"), which is BHP in this case, back to the Council should

be as comprehensive as that undertaken when deciding to transfer those functions from the Council to an ALMO. Although DCLG would need to be notified, formal section 27 consent would not be required as this involves a decision to return the Council's housing management functions back to the Council.

- 13.9 As BHP is a limited company, it enters contracts as a separate corporate entity to the Council. Therefore, if a decision is made to bring housing management services in-house, there would be a need for contracts entered into by BHP to be novated or assigned to the Council. This would require BHP contracts either to contain provision allowing BHP to novate/assign the contract as of right or else for BHP and the Council to negotiate with contractors the novation /assignment of contracts. Full details of BHP contracts are being collated to establish novation/assignment provisions and to understand the liabilities under the contracts that would transfer to the Council.

#### **14.0 Human Resources Implications**

- 14.1 The decision to bring BHP's housing management functions into the Council has clear implications for staff. Key during any transition and transfer is regular and frequent consultation and communication with all staff. A series of communication meetings have already taken place with staff and trade union representatives and this approach will continue. In addition, BHP staff have been involved with workshops to contribute to and comment on proposed changes to the target operating model necessary to transform the housing management functions. The Council and BHP will continue to work together to ensure that staff remain informed, are consulted and feel supported as the transition and transfer processes take shape and are implemented. This is vital to promote staff engagement and ensure business continuity during the transition and transfer. The same consultative approach will be adopted for integration of functions into the council once the transfer has taken place.
- 14.2 There is already a joint Council/BHP Board, chaired by the Chief Executive of the Council, to oversee all necessary work streams and ensure an efficient and effective transition, transfer and integration of housing management functions. This work includes oversight of all staffing matters. The board will continue to meet regularly until all required activities are completed.
- 14.3 The Council and BHP will also continue to work together during the transition period to ensure stabilisation of any roles/structures within BHP as a number of positions are currently covered by agency staff or secondment arrangements.
- 14.4 There are a number of senior management roles in BHP covered by interims or secondments. The council intends to, where practicable, establish and recruit to the most senior roles required within the council's housing management structure to manage the integration of the housing management functions into the Council. This approach will ensure continuity, stability and assist with the integration of BHP staff into the council once a transfer has taken place. As it can take several months to recruit to such posts, recruitment activity is likely to start once the decision to transfer housing management functions has been taken.

- 14.5 The transfer of staff that are currently employees of BHP i.e. those on permanent or fixed term contracts, will constitute a “relevant transfer” under the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations 2006. Those currently engaged as interims or agency workers by BHP do not have the right to transfer under TUPE however, the actions described within this section of the Cabinet Report will ensure maintenance of business continuity. It is anticipated that the transfer of staff will take place in October 2017. There is a statutory requirement to consult with recognised trade unions and staff about the transfer for a minimum of 30 days before any TUPE transfer takes place.
- 14.6 Once staff have transferred, they will be employees of the Council but on their BHP terms and conditions. In order to integrate the housing management functions into the Council, there will need to be a reorganisation after the transfer once a new structure has emerged from work on the target operating model. Such reorganisations are permitted under TUPE due to ETO reasons (economic, technical or organisational). The Council will ensure that it consults on any new proposed structures with recognised trade unions and staff and that relevant processes are followed.

## **15.0 Diversity Implications**

- 15.1 Under Section 149 of the Equality Act 2010, the Council has a duty when exercising its public functions to have ‘due regard’ to the need to eliminate discrimination and other conduct prohibited under the Act; advance equality of opportunity, and foster good relations between those who share a “protected characteristic” and those who do not. This duty known as the public sector equality duty (PSED). The protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. The purpose of the duty is to enquire into whether a proposed decision disproportionately affects people with a protected characteristic. In other words, the indirect discriminatory effects of a proposed decision. Due regard is the regard that is appropriate in all the circumstances.

The Housing Management Options review was supported by an extensive consultation, the findings of which are available in Appendix 1 and by a full Equality Analysis attached at Appendix 5. The decision to bring the service back in house will not change the operating model in the first instance, but it is anticipated that the change will result in improvements to the quality of services delivered to Council’s tenants and leaseholders across all protected characteristics.

The consultation findings did not identify any major equality related concerns raised by affected stakeholders. The EA concluded that the impact on residents and leaseholders across all protected characteristics will be either positive or neutral. It recommended, however, that when implementing the changes to the operating model, due consideration must be given to ensure that the work and good practice around financial inclusion, communication and engagement with vulnerable groups (including people with disabilities, BAME groups and older people) is retained and further improved. The impact of the changes on people with protected characteristics will be monitored on a regular basis and where

any unintended negative consequences are identified, the Council will implement remedial actions.

## **16.0 Scrutiny's Proposals**

16.1 Scrutiny considered the options on 19 October 2016, they made 3 recommendations for an 'in house' option:

- There be a dedicated scrutiny sub-committee established to review and provide oversight to housing services management and wider housing. This sub-committee would contain co-opted members from appropriate resident associations
- If Cabinet was to agree on the in-house option, that there be complete transparency of the Housing Revenue Account, complete with a business plan to ensure that the Housing Revenue Account is ring-fenced
- Response to the Scrutiny recommendation that: 'There be an effective communications strategy drawn up by the Council to ensure resident engagement and to also articulate with clear evidence why Cabinet has chosen its preferred option for housing management going forward

16.2 The work being undertaken to transform the service incorporates developmental activity aimed at significantly raising the engagement of residents and to identify new governance structures which will facilitate involvement towards decision making in relation to the housing service.

16.3 As regards the work in the future on the Housing Revenue Account there will be every opportunity within these new structures for engagement on those issues and business plan formulation will be a key part of those activities. Within that context there will be ample opportunity to keep the Housing Revenue Account ring fence under scrutiny.

16.4 From the above and other references elsewhere in this report, all of the proposals of the Council's Scrutiny Panel are being positively pursued.

## **Appendices**

1. Housing Management Consultation – report of Electoral Reform Services (ERS)
2. List of all consultation events with dates and locations
3. Details of attendances at consultation events
4. Outcome of workshop session with Brent Network of Resident Associations
5. Equality Impact Assessment

## **Background Papers**

1. Housing Management Options Review – report to Cabinet 16 November 2016
2. Review of Housing Management Options – October 2016

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# Housing Management Proposal Consultation.

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**March 2017**

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3.1.1	Support the proposal (33.8%) .....	
3.1.2	Tend to support the proposal (13.5%).....	
3.1.3	Tend to support BHP but with some equivocation (1.2%) or support BHP's retention (7.6%) .....	
3.1.4	Commented on the service but did not provide an explicit view (5.4%)	
3.1.5	Remain unsure/undecided (4.7%) or need more information to form an opinion (3.4%) .....	
3.1.6	Do not mind either way (2.5%).....	
3.1.7	Do not support either option (2.1%) .....	
3.1.8	No comments or views expressed (24.1%) or not applicable to the proposal (2.0%) .....	
3.2	Leaseholders .....	
3.2.1	Support the proposal (36.5%) .....	
3.2.2	Tend to support the proposal (19.1%).....	
3.2.3	Tend to support BHP but with some equivocation (1.6%) or support BHP's retention (4.5%) .....	
3.2.4	Commented on the service but did not provide and explicit view (6.9%) <sup>31</sup>	
3.2.5	Remain unsure/undecided (4.0%) or need more information to form an opinion (5.4%) .....	
3.2.6	Do not mind either way (2.4%).....	
3.2.7	Do not support either option (2.2%) .....	
3.2.8	No comments or views expressed (14.6%) or not applicable to the proposal (2.8%) .....	
3.3	Notes for service improvements .....	

## 1. Executive summary

Following a thorough review of the management of its homes, Brent Council is considering bringing the management of its housing services back under its direct operation, which would mean that the service would no longer be provided by Brent Housing Partnership (BHP).

There are two main reasons the Council decided to do this:

- The government have reduced the amount of money councils have to spend on housing.
- There are problems with the performance of Brent Housing Partnership (BHP) (who currently manage housing for the Council) – and after considerable efforts have been made to put things right, problems remain.

The purpose of this consultation was therefore to gauge opinions and gather feedback from tenants and leaseholders, evaluate their attitudes towards the proposal and identify any concerns they might have.

Overall, nearly half (49.1%) of respondents support (34.4%) or tend to support (14.7%) the Council's proposal to move the management of its housing services under its direct operation. Leaseholders are more likely to favour the proposal, with 55.6% supporting the decision with or without some equivocations, compared to 47.3% of tenants. Most respondents have had negative experiences with BHP and/or believe that moving the housing stock under the Council's direct control could improve the service, overall performance and reduce costs.

Only 8.1% (6.1% leaseholders and 8.8% tenants) support or tend to support the retention of BHP. These respondents commented on the high quality of service received from BHP, had not experienced any issues and thus are not in favour of any change.

A very small proportion (2.5%) do not mind either way. The remaining respondents either did not express any views (22%), provide an explicit inclination towards one or the other provider (5.7%), are unsure (4.5%), need more information to form an opinion (3.8%) or do not support either option (2.1%).

During the consultation, many respondents commented on the service provided by BHP. The most common areas of improvement concerned query response times, communication and customer service, maintenance and repairs, security and safety and the use of contractors.

**Section 3 of this report discusses the results for both tenants and leaseholders in more detail.**

## 2. Background and approach

Brent Council is considering bringing the management of its housing services back under its direct operation, which would mean that the service would no longer be provided by Brent Housing Partnership (BHP). Before any decisions were made, the Council wished to consult tenants and leaseholders to better understand their opinions about the proposal. The Electoral Reform Services (ERS) group was commissioned to undertake the consultation, analyse the responses and prepare a report, outlining the key themes.

All BHP tenant (7,844) and leaseholder (3,607) households were contacted and invited to express their opinion. Each household was sent a postal pack with information about the proposal and instructions on how to take part. Each pack contained contact details to obtain more information about the consultation and the proposal, as well as a leaflet with information about a series of consultation events being held by the Council. A multichannel approach was adopted to ensure that all tenants and leaseholders were given the opportunity to participate in a secure, unbiased environment, via a method of their choice. Respondents could:

- Return a paper questionnaire via a pre-paid reply envelope.
- Complete the survey online.
- Text their response via their mobile phone.
- Call a freephone number and complete the survey over the phone with a member of staff.

In addition, 500 tenants and 100 leaseholders were contacted via outbound telephone calls to avoid respondent bias and ensure that a wide range of respondents were approached.

Each household was provided with a unique reference number. All responses have been combined and validated using the reference number to eliminate duplicate or invalid responses. Multiple responses per household were checked against the number of registered residents in each property. If the number of responses was higher than the number of registered residents, all submissions were marked 'invalid' and deleted. Only validated responses with a valid reference number were accepted and used for the purpose of the analysis.

The consultation was open from 16<sup>th</sup> February – 17<sup>th</sup> March 2017, and a remainder mailing was sent on 6<sup>th</sup> of March 2017 to all non-respondents.

### 2.1 Response rate

Overall, 2,937 valid responses from 2,266 tenants and 671 leaseholders were received, resulting in a response rate of 26%:

- 2,092 returned a valid paper questionnaire via post.
- 245 completed the survey online or called to complete it over the phone.
- 600 were contacted via outbound telephone calls – details about the telephone survey can be found in section 2.1.1 below.

#### 2.1.1 Telephone survey with 600 residents

600 telephone interviews were conducted with a random sample of BHP tenants and leaseholders. Quotas were put in place by tenure (tenant/leaseholder) and for tenants only by number of bedrooms and areas. This was to ensure that we engaged with a wide range of tenants and leaseholders and that the results were as representative as possible. Table 1 below outlines the number of interviews conducted:

*Table 1: Telephone interviews*

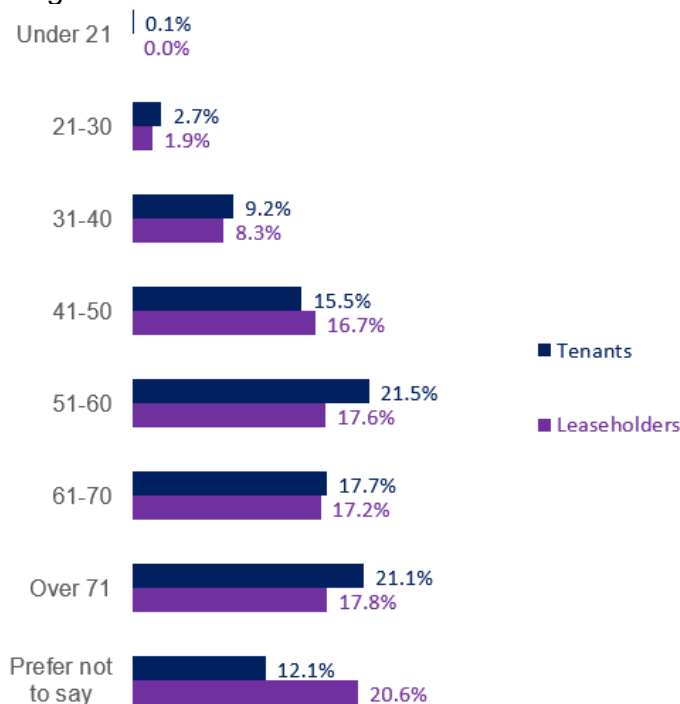
	Target number	Achieved number
<b>Tenants</b>	500	500
<b>Leaseholders</b>	100	100
<b>TENANTS:</b>		
<b>BEDROOMS:</b>		
<b>1 or less</b>	180	160
<b>2</b>	162	182
<b>3 or more</b>	158	158
<b>AREA:</b>		
<b>North</b>	133	133
<b>Mid</b>	137	137
<b>South</b>	230	230

All respondents received postal packs with information about the proposal and the consultation and confirmed that they had reviewed the information, had not answered the survey already and were happy to provide feedback via telephone. Calls were made over a period of 18 days, between 9 am - 9 pm from Monday to Saturday, and between 10 am - 9 pm on Sunday.

## 2.2 Profile of respondents

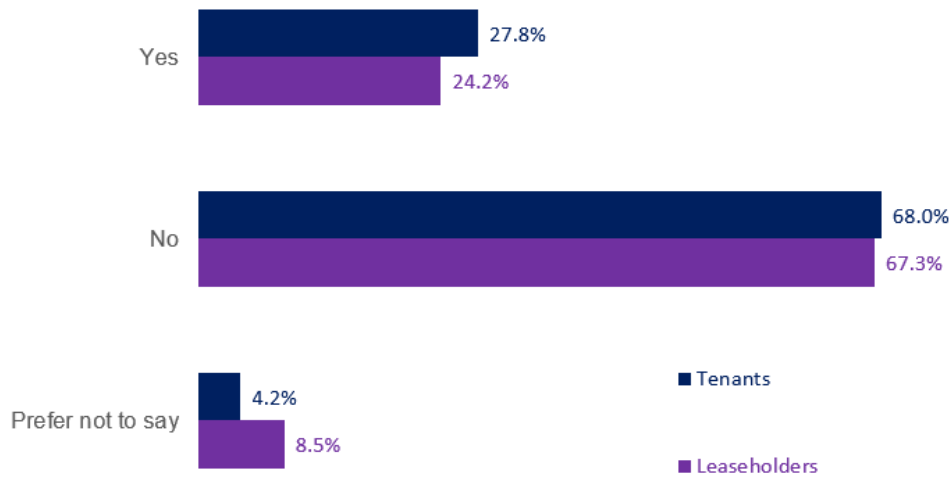
Figures 1 - 8 outline the demographic profile as well as property size and area of all respondents.

Figure 1: Age



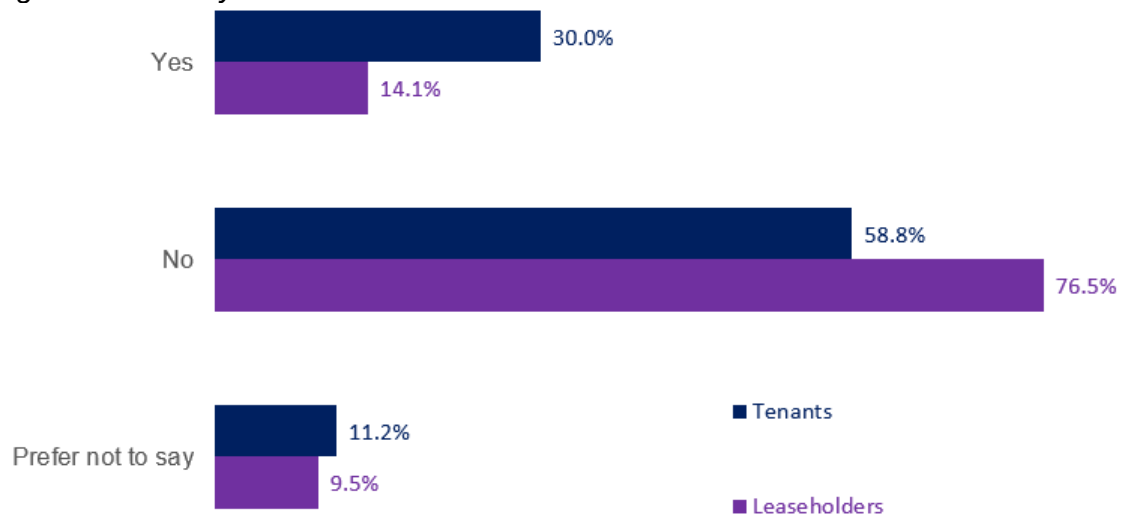
Brent Council Survey, February 16<sup>th</sup> – March 17<sup>th</sup> 2017. Q6. Please confirm your date of birth. Sample: Tenants (2,200) and leaseholders (647)

Figure 2: Dependent children under 18



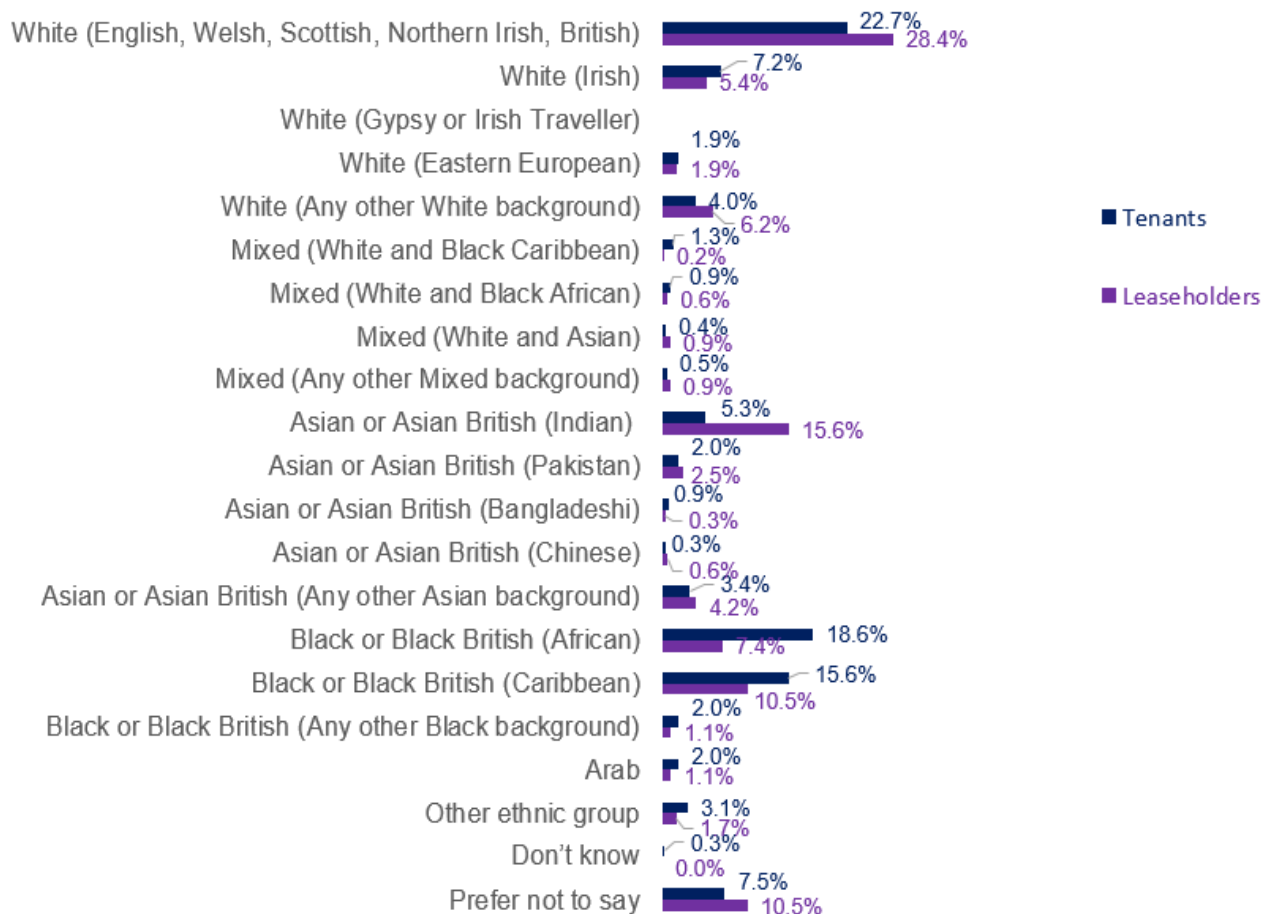
Brent Council Survey, February 16<sup>th</sup> – March 17<sup>th</sup> 2017. Q7. Do you have dependant children aged 18 or under? Sample: Tenants (2,200) and leaseholders (647)

*Figure 3: Disability*



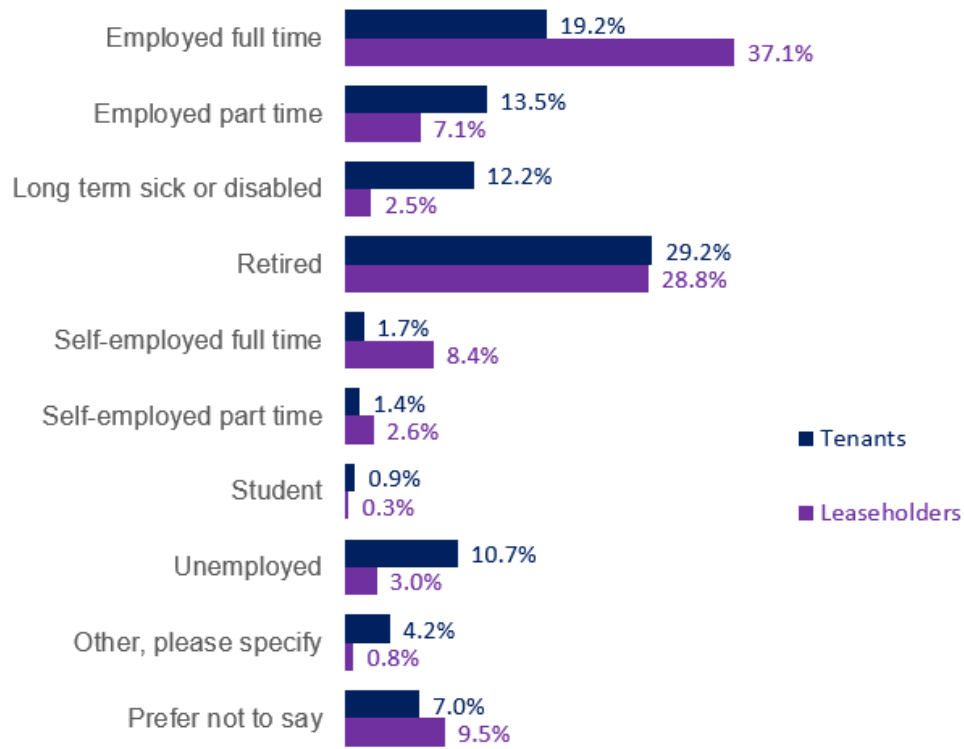
Brent Council Survey, February 16<sup>th</sup> – March 17<sup>th</sup> 2017. Q9. Do you consider yourself to have a disability? Sample: Tenants (2,136), Leaseholders (633)

Figure 4: Ethnicity



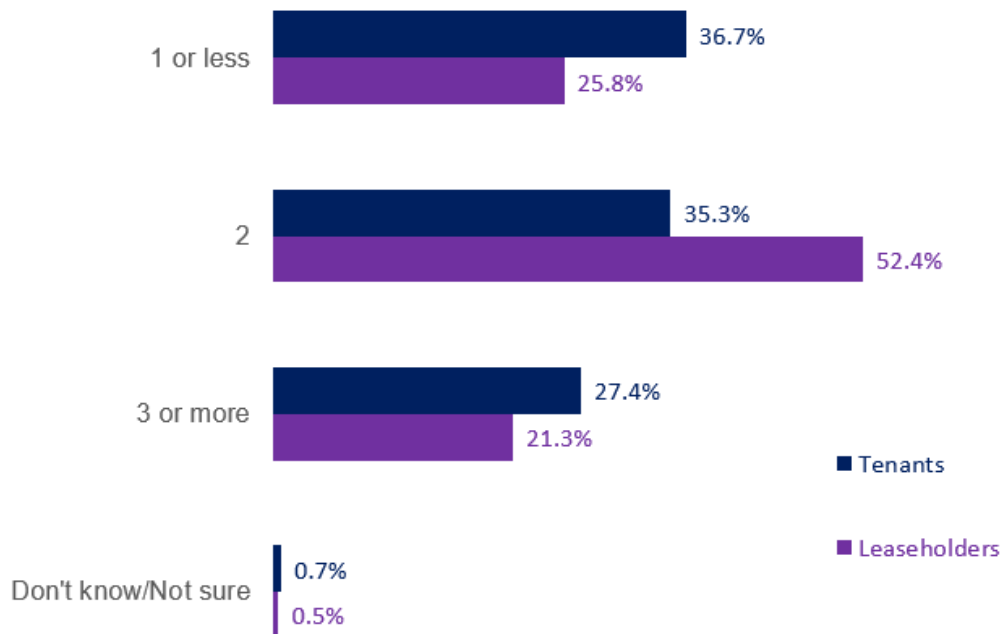
Brent Council Survey, February 16<sup>th</sup> – March 17<sup>th</sup> 2017. Q8. What is your ethnic group? Please select one option which best describes your ethnic group or background. Sample: Tenants (2,208), Leaseholders (647)

Figure 5: Socio-economic status



Brent Council Survey, February 16<sup>th</sup> – March 17<sup>th</sup> 2017. Q6. Please confirm your date of birth: Tenants (2,192), Leaseholders (645)

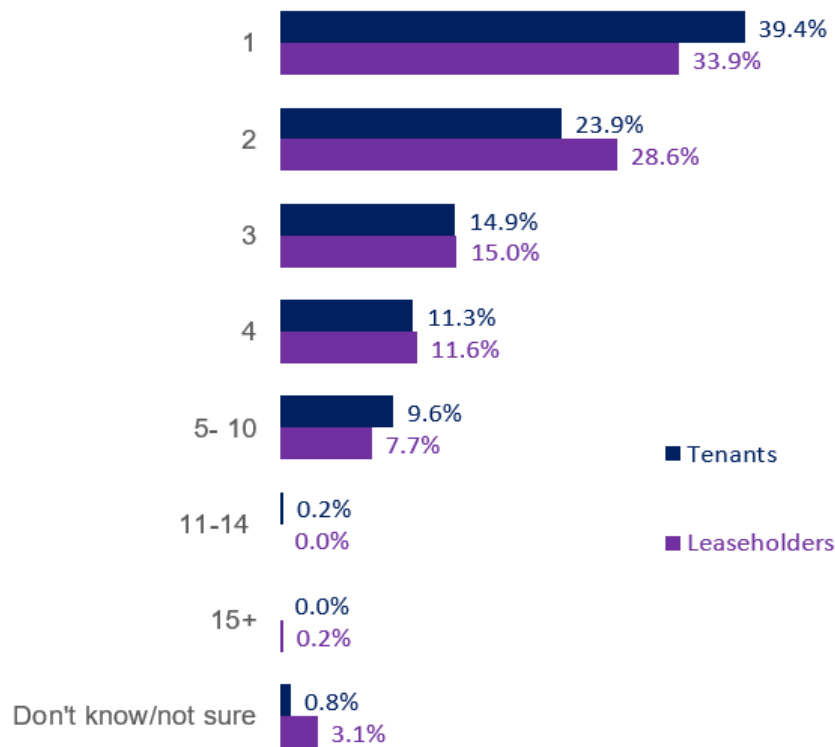
*Figure 6: Property size*



Brent Council Survey, February 16<sup>th</sup> – March 17<sup>th</sup> 2017. Q3. Could you confirm the number of bedrooms in your property? Sample: Tenants (2, 245), Leaseholders (642)

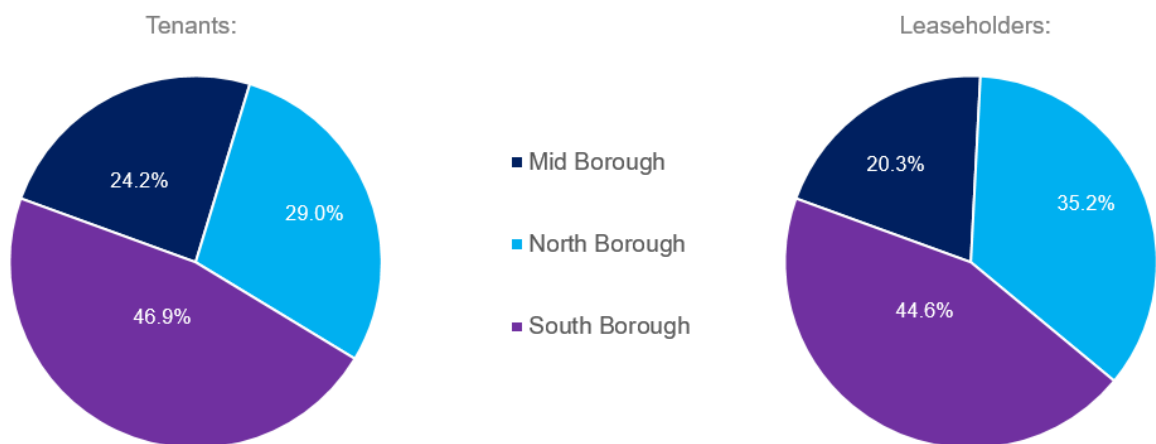
*Figure 7: Number of residents per household*





Brent Council Survey, February 16<sup>th</sup> – March 17<sup>th</sup> 2017. Q3. Could you confirm the number of bedrooms in your property? Sample: Tenants (2, 245), Leaseholders (642)

Figure 8: Area



Brent Council Survey, February 16<sup>th</sup> – March 17<sup>th</sup> 2017. Data assigned from Brent Council's database: Sample: Tenants (2,265), Leaseholders (671)

All percentage figures were rounded to 1 decimal point. Where percentages do not sum up to 100, this may be due to computer rounding or the exclusion of "don't know/prefer not to say" categories.

The subsequent section analyses the responses to the open ended question about the proposal:

*What are your views about the Council's proposal to move the housing management service back under its direct operation?*

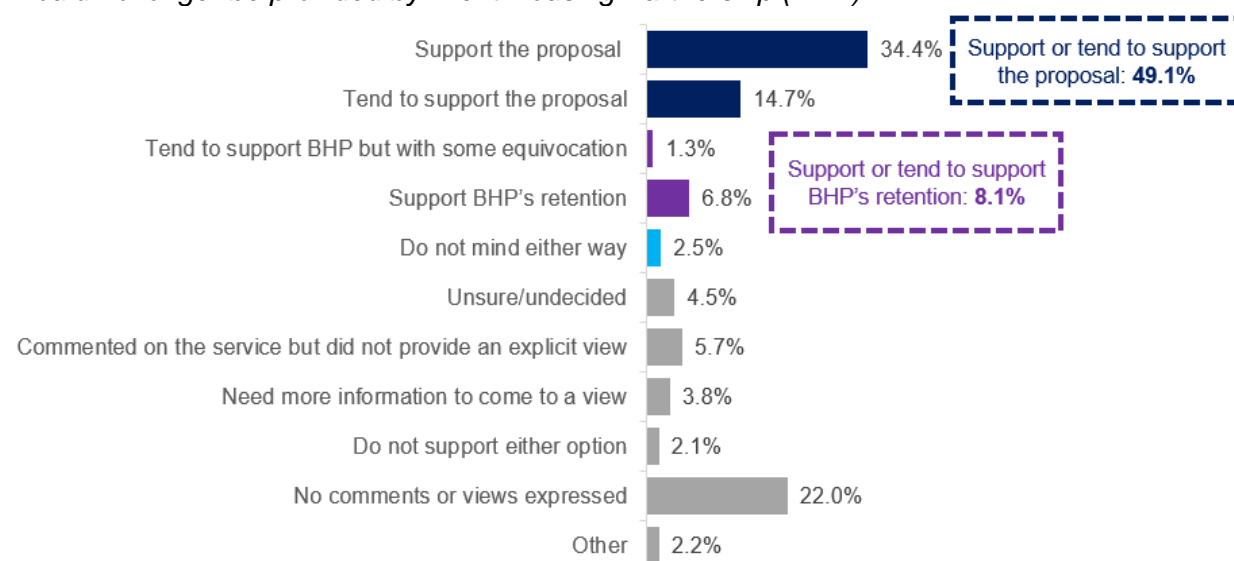
*This would mean the service would no longer be provided by Brent Housing Partnership (BHP). Please share your opinions below.*

Verbatim comments made by respondents have been used throughout this interim report to help illustrate and highlight key findings. All verbatim comments have been anonymised. Each verbatim comment sets out the individual view of the respondent who made them. They do not reflect the views of the ERS Group nor Brent Council, but are presented here to illustrate views made to us during the research exercise.

### 3. Key findings in detail

Overall, both tenants and leaseholders are inclined towards the Council's proposal to move the management of the housing service under its direct operation (49.1%).

*Figure 9: What are your views about the Council's proposal to move the housing management service back under its direct operation? This would mean the service would no longer be provided by Brent Housing Partnership (BHP).*



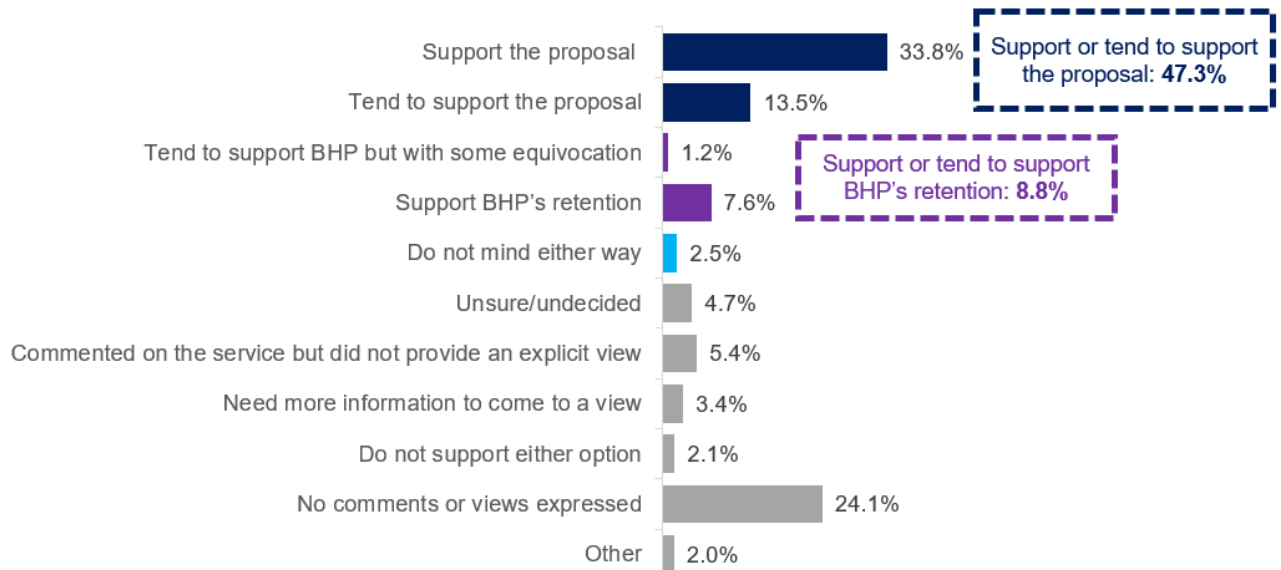
Brent Council Survey, February 16<sup>th</sup> – March 17<sup>th</sup> 2017. Sample: Tenants and leaseholders (2,937)

Only a small proportion (8.1%) of both tenants and leaseholders tend to support BHP's retention (with or without prevarication) and 2.5% do not mind who manages the housing stock. The remaining 40.3% are unsure, need more information to form an opinion, do not support either option, commented on the service but did not explicitly express a preference towards either of the providers, did not provide any comments or views, or submitted comments not relevant to this consultation. The subsequent paragraphs look at the responses provided by tenants and leaseholders in more detail.

#### 3.1 Tenants

Nearly half (47.3%) of the tenants who completed the survey support or tend to support the proposal to move the management of housing stock back under the Council's direct operation.

*Figure 10: What are your views about the Council's proposal to move the housing management service back under its direct operation? This would mean the service would no longer be provided by Brent Housing Partnership (BHP).*



Brent Council Survey, February 16<sup>th</sup> – March 17<sup>th</sup> 2017. Sample: Tenants: (2,266)

### 3.1.1 SUPPORT THE PROPOSAL (33.8%)

One third of tenants expressed their unequivocal support for the proposal to move the housing service back under the Council's direct operation. In general, most of these tenants had a negative experience with the BHP, do not think that they provide a high quality service and believe that the Council is much better placed to manage and run its housing stock.

*"We hope this will be better for the residents and leaseholders as single management will operate the system and we will have less charges and better quality service."*

Tenants who expressed issues or had complaints regarding the service provided by BHP mentioned problems with maintenance and repairs, poor communication and customer service, inadequate staff manners, long waiting times and high charges.

*"I find most of the issues with BHP is very lacking on customer service, communications, repairs, quality of home improvements etc."*

Others do not approve of subcontracting housing services and believe that all of the Council's services should be managed by one organisation (i.e. the Council). This would put the Council in a better position to look at each tenant from a holistic perspective and assess their overall needs. Managing the housing stock in-house would also provide more transparency, accountability and control over the quality of the services provided to council tenants.

*"We think it would be a good idea to go back to the council, as lines of accountability would be more transparent; less complicated to navigate. While BHP offered a good service, we would like direct communication with Brent Council and our housing concerns."*

Cost saving is another significant factor impacting tenants' views. Many tenants believe that any decision that offers cost savings is a good decision and thus might increase the amount of funds available for housing services, especially maintenance and repairs.

### 3.1.2 TEND TO SUPPORT THE PROPOSAL (13.5%)

Around one in ten tenants tend to support the proposal, however their view is conditioned on the basis that the service improves. Many have had a negative experience with BHP and are thus sceptical about the Council's ability to improve the services. These respondents need reassurance that they will not be affected by the

changes, the service will improve, the Council will offer savings and that services will not be cut.

*“As long as there are no additional costs, are more efficient, complaints are addressed in a timely manner and the focus of the people is the primary concern then should be fine.”*

They are only willing to support the proposal if their concerns regarding service quality are addressed and positive changes are put in place.

*“As long as the service improves and benefits the tenants then it's a good move. However more information needs to be presented about the changes and the new structure.”*

These respondents also noted that services were only likely to change if BHP replaced all of their current staff with new and appropriately skilled and trained employees.

### **3.1.3           TEND TO SUPPORT BHP BUT WITH SOME EQUIVOCATION (1.2%) OR SUPPORT BHP'S RETENTION (7.6%)**

A small proportion of tenants (8.8%) prefer the housing service to remain under BHP's management. They have not experienced any problems and are satisfied with the quality of the service, thus do not see any reason for changing the current management.

*“I am happy for Brent Housing Partnership to continue providing our services as I feel that it's a much better service than when Brent was in control. If Brent gets back into control of the services then Brent would have to make sure it is to the same standard of BHP or better.”*

Others simply do not want to undergo any change, and/or are worried about the potential impacts it might have on them and their properties.

A proportion have had negative experiences with the Council (through housing/and or other services) and thus are sceptical about the Council's ability to make any improvements or substantial changes.

*“Work done faster with BHP and much better regarding maintenance, under the council it wasn't good at all - really don't want it to change.”*

### **3.1.4           COMMENTED ON THE SERVICE BUT DID NOT PROVIDE AN EXPLICIT VIEW (5.4%)**

A small proportion of tenants has commented on the service (provided by either of the providers) but has not explicitly stated whether they do or do not support the proposal. Their experiences have been both negative and positive and they often described a very specific issue they encountered, however, they did not mention whether they are in favour of the proposal or prefer to retain BHP thus we are unable to classify their opinions as either for or against.

### **3.1.5           REMAIN UNSURE/UNDECIDED (4.7%) OR NEED MORE INFORMATION TO FORM AN OPINION (3.4%)**

Some tenants remain undecided, are unsure, or need more information to form an opinion. Some felt that they do not have enough experience with either of the providers to develop a view, and others find it very hard to make a decision as they are unfamiliar with housing management operations and its requirements.

*“Really I'm not sure about it because all the time I deal with BHP. I've not dealt with the Council. So the difference, I don't know.”*

Others require more information about the recurring issues with BHP and the plans put in place to address these, to enable them to make an informed decision.

*“Undecided - as not enough information to clarify whether the decision to move would be better for me as a tenant.”*

Some also noted that although they do not know how to decide/who to support, they trust the Council to make a suitable decision on their behalf following the consultation.

### **3.1.6 DO NOT MIND EITHER WAY (2.5%)**

A very small proportion noted that they do not mind who provides the housing management services. They have not had any negative experiences with either, do not have any strong opinions or simply do not believe that the decision will impact them.

### **3.1.7 DO NO SUPPORT EITHER OPTION (2.1%)**

Some tenants expressed concerns about the ability of either of the providers to supply the service. They do not believe that either the Council or BHP can make a substantial difference to the way services are provided and thus do not support either. A few noted that they would welcome another alternative – perhaps a cooperation between the two or another party.

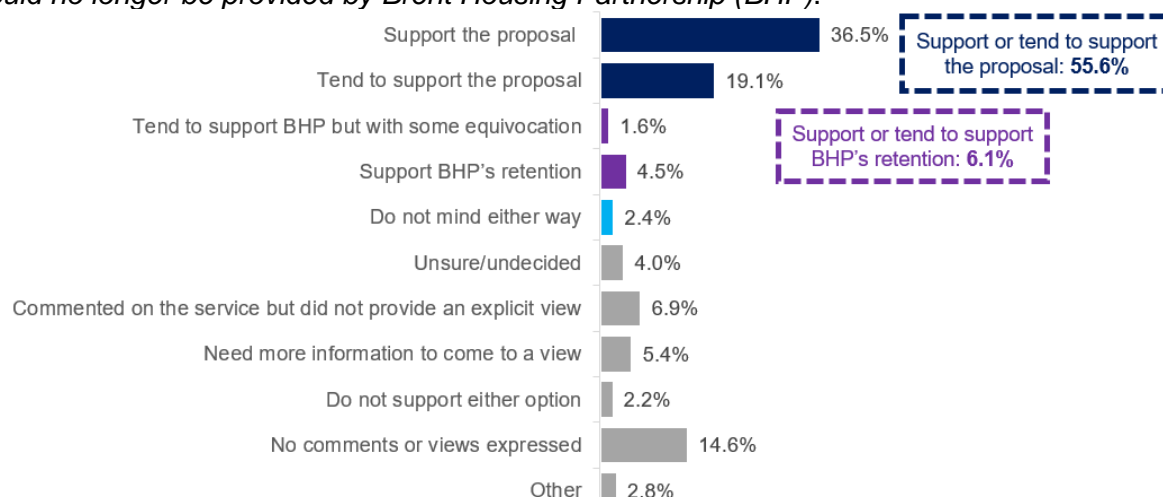
### **3.1.8 NO COMMENTS OR VIEWS EXPRESSED (24.1%) OR NOT APPLICABLE TO THE PROPOSAL (2.0%)**

Nearly a quarter of tenants (24.1%) did not express any opinions or comments whatsoever or submitted a comment not related to the proposal or the housing services.

## 3.2 Leaseholders

Leaseholders are more likely to be in favour of the proposal with over half (55.6%) expressing unequivocal support or inking towards the decision to move the management of housing stock under the Council's direct operation.

*Figure 11: What are your views about the Council's proposal to move the housing management service back under its direct operation? This would mean the service would no longer be provided by Brent Housing Partnership (BHP).*



Brent Council Survey, February 16<sup>th</sup> – March 17<sup>th</sup> 2017. Sample: Leaseholders: (671)

### 3.2.1 SUPPORT THE PROPOSAL (36.5%)

Over a third of leaseholders support the proposal to move the management of housing services under the Council's direct operation. Most have had a negative experience with BHP and are keen for the Council to take back control. Some noted that any provider other than BHP would be an improvement.

*"I agree with your view of Council moving the housing management service back to its direct operation. The present management company does not do the job as promised."*

*"We would be absolutely delighted if the Council were to move housing management under its direct operation. BHP leaseholder department is a poorly managed, incompetent organisation. Any change from BHP would be an improvement."*

Many have expressed complaints about the lack or poor quality of repairs despite high perceived costs and thus are particularly keen to see the proposals promise of significant savings. Leaseholders also expressed concerns about the high levels of payments and service charges and poor value for money, and thus hope that any savings can be translated in fee reductions.

*"I am pleased to know that the housing organisation is being brought back under single organisation. Hope this move will lend to increased efficiency and same cost & money wherever possible which can be reflected in reducing service charges for the leaseholders and tenants."*

*"I think this is a good idea partly because I expect this will save money. Also access to help for problems should be easier when no third party is involved. As a leaseholder I expect this will mean a reduction in management fees + service charge."*

Some also hope that bringing the service in-house will provide the Council with more control over the costs and accountability for the quality which will result in overall service improvements.

### 3.2.2 TEND TO SUPPORT THE PROPOSAL (19.1%)

Around a fifth of leaseholders (19.1%) are likely to support the proposal but only if it improves the quality of the services and reduces costs. They tend to think that managing the service in-house is better than outsourcing it to contractors but are sceptical about the Council's ability to live up to the expectations and provide value for money. Many condition their views on better outcomes for them as leaseholders and their tenants and want a guarantee that the service will improve.

*"I am in favour of the proposal as long as the quality of service, the outcomes, & response to complaints improve. The Council must provide a better quality of service with clear objectives & outcomes."*

*"Yes but only provided that lessons have been learnt from the problems of BHP and it won't cost more to leaseholders/tenants. Depends on their strategy for managing the properties."*

Those who have not had any issues with BHP but are not opposed to the Council's proposal would like reassurance that the same quality of service will be provided.

*"Happy enough as it is now but if we got the same level of service I would be happy. Understand it is good to save money. Outsourcing has helped however and BHP have done better job."*

Again, cost savings and efficiencies are significant drivers behind leaseholders' tendency to support the Council's proposal.

### **3.2.3           TEND TO SUPPORT BHP BUT WITH SOME EQUIVOCATION (1.6%) OR SUPPORT BHP'S RETENTION (4.5%)**

A small proportion of leaseholders is keen for BHP to continue to manage the housing service. They are satisfied with the service and/or had a negative experience with the Council. Some also believe that the rationale for change is not strong enough, and they would like to offer BHP another chance.

*"As a leaseholder I have always been very satisfied with any dealings I've had with BHP - I would be very concerned that the same level of response would continue if services were moved to direct Council management."*

### **3.2.4           COMMENTED ON THE SERVICE BUT DID NOT PROVIDE AND EXPLICIT VIEW (6.9%)**

Similarly to tenants, a small proportion of leaseholders commented on the service provided, by either BHP or the Council, but has not explicitly stated whether they do or do not support the proposal. Their experiences have been both negative and positive and they often described a very specific issue they encountered, however, they did not specify whether they are in favour of the proposal or against it.

### **3.2.5           REMAIN UNSURE/UNDECIDED (4.0%) OR NEED MORE INFORMATION TO FORM AN OPINION (5.4%)**

Some noted that they were undecided or needed more information to be able to develop an opinion. These leaseholders have limited contact with BHP or the Council, do not know what the difference between them is/or could be and thus do not feel in a position to express an opinion.

*"Haven't got a comparison so no strong views. Haven't had any negative views on the service."*

Others would like more information to obtain a better understanding of why the management should be changed, what the issues are, what the Council's plan of action is, etc. In addition, they raised concerns about how the change would impact them as leaseholders and whether any savings would be to be passed onto them or their tenants.

*“It is difficult to form an opinion because we have not been provided with information about the implications of the proposed change. Will it improve the service we receive as leaseholders?”*

### **3.2.6 DO NOT MIND EITHER WAY (2.4%)**

A very small proportion noted that they do not mind who provides the housing management services. They have not had many experiences with either the Council or BHP, do not have any strong opinions on the matter or simply do not believe that the decision will impact them.

Some also noted that they do not believe that their opinions will make a difference and thus are indifferent about the outcome.

### **3.2.7 DO NO SUPPORT EITHER OPTION (2.2%)**

Again, similarly to tenants, a small number of leaseholders were sceptical about the ability of either provider to improve the quality of the service. They do not believe that either the Council or BHP would make any difference to the way that services are provided and thus do not support either.

### **3.2.8 NO COMMENTS OR VIEWS EXPRESSED (14.6%) OR NOT APPLICABLE TO THE PROPOSAL (2.8%)**

Other leaseholders either did not provide any comment or opinion (14.6%) or submitted feedback which was not relevant to the consultation (2.8%).

## **3.3 Notes for service improvements**

During the consultation, many respondents commented on the service provided by BHP. The following section highlights the most common areas in need of improvement.

- **Query response time.** Many noted that the amount of time taken to process and address queries and issues is too long (10 days) and often incorrect information is provided. Respondents would like a speedier and more effective process to deal with their requests.

*“Currently when you contact leaseholders via e-mail they respond saying it will be at least a 10 day wait until you receive a reply, and more often than not this is the case or you wait longer. In addition when they respond sometimes they do not have the correct information and you get referred elsewhere.”*

- **Communication and customer service.** Respondents mentioned that they do not feel consulted or involved with decisions that have an impact on their properties. They are not notified when changes or decisions are being made and there is a lack of communication between the different team members and the tenants/leaseholders. Some noted that customer service is poor and that staff members are often unhelpful and do not appear to be trained well.

*“Member of staff are not well trained. Have poor communication skills, poor telephone manner and most of the time they are unprofessional and unhelpful (except for few people who are really pleasant).”*

In addition, many noted that if the proposal was to go ahead, a complete overhaul and replacement of staff would be required. Without this, respondents are sceptical that any improvements would be achievable.



- **Lack of maintenance and repairs.** Many commented on the inadequate state of their property/building/communal areas and the poor quality of repairs. Often, faults have not been addressed or repaired to the requested standard and quality. Lack of cleaning and general maintenance was often noted.

*“There is no maintenance of the front of the property and it is currently in disrepair. When asked if the tenants can take on the remedial work themselves we have been told it is not our property and we must not undertake work ourselves. When undertaking major works, BHP have been unable to provide a breakdown of the work undertaken on the property, which would be fine if tenants were not then expected to foot the bill.”*

- **Concerns about security.** A few expressed concerns about safety and security. Some reported anti-social behaviour around their properties that haven't been addressed and dealt with. They feel that flats are not adequately secured and 'open' which makes them feel unsafe.

*“The flats are all opened up, anyone can walk into them. Tenants are not nice.”*

- **Contractors.** There is a general feeling that housing services should not be outsourced to contractors as they do not provide satisfactory service levels and are too costly. One company noted for poor service in particular was 'Wates' – respondents commented on their negative experience with their staff/service.

*“Far too many contractors are used. On-call plumbers who respond to out of hours services coming all the way from Southend and the further reaches of Essex. The council should employ its own maintenance staff directly and not use contractors except for very specialised jobs. Train and employ local people. Simple.”*

- **Concerns about service changes.** Some expressed concerns about the potential changes to the service provided if the proposal was to go ahead. They wanted to know whether they would still be able to contact the Council about an issue, have a dedicated line/contact number, who their housing officer would be, etc.

Respondents would like to see these areas improved and issues solved irrespective of the result of the consultation.

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**LONDON BOROUGH OF BRENT**  
**Housing Management Review**  
**Tenant & Leaseholder**  
**CONSULTATION EVENTS**

---

<b>Date &amp; Times</b>	<b>Event room facility</b>	<b>Address</b>
7 <sup>th</sup> March 6 – 8pm	<b>Bridge Park Community Leisure Centre</b>	Brentfield, Harrow Rd, London NW10 0RG
8 <sup>th</sup> March 10 – Midday	<b>Brent Civic Centre</b>	Engineers Way, Wembley HA9 0FJ
8 <sup>th</sup> March 6 – 8pm	<b>Brent Civic Centre</b>	Engineers Way, Wembley HA9 0FJ
9 <sup>th</sup> March 2 – 4pm	<b>Brent Civic Centre</b>	Engineers Way, Wembley HA9 0FJ
9 <sup>th</sup> March 6 – 8pm	<b>Comber Close Meeting Room</b>	17 Comber Close, Adler Grove, Cricklewood, NW2 7EG
14 <sup>th</sup> March 10 – Midday	<b>Willesden Green Library</b>	95 High Rd, London NW10 2SF
14 <sup>th</sup> March 6 – 8pm	<b>Willesden Green Library</b>	95 High Rd, London NW10 2SF
15 <sup>th</sup> March 6 – 8pm	<b>Roundwood Youth Centre</b>	49 Longstone Avenue, Willesden, London, NW10 3UN
16 <sup>th</sup> March 6 – 8pm	<b>South Kilburn Studios</b>	2a Canterbury Road, South Kilburn London NW6 5SW

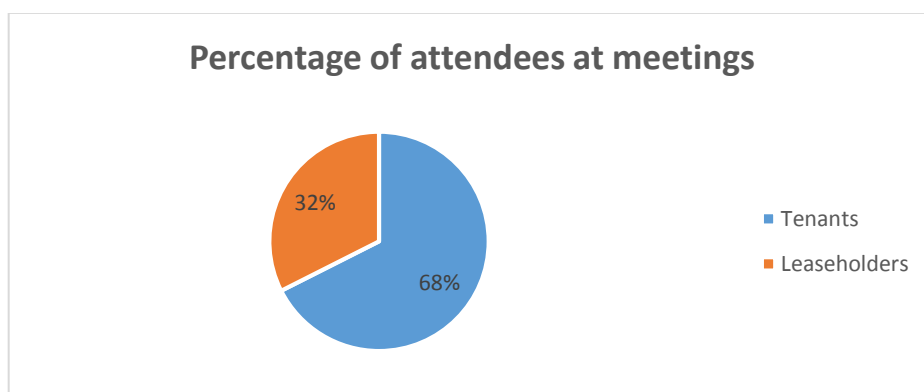
## Housing Management Review Consultation Events held in March in 2017

Time Period	Tenants	Leaseholders	Total	Tenants	Leaseholders
Day	38	19	57	67%	33%
Evening	164	78	242	68%	32%
<b>Total</b>	<b>202</b>	<b>97</b>	<b>299</b>	<b>68%</b>	<b>32%</b>

Area	Tenants	Leaseholders	Total	% of attendees that were Tenants in this area	% of attendees that were Leaseholders in this area	% of all attendees who attended a meeting(s) in this area
Cricklewood	15	8	23	65%	35%	8%
Harlesden	9	5	14	64%	36%	5%
South Kilburn	34	16	50	68%	32%	17%
Stonebridge	29	10	39	74%	26%	13%
Wembley <sup>2</sup>	61	24	85	72%	28%	28%
Willesden <sup>2</sup>	54	34	88	61%	39%	29%
<b>Total<sup>1</sup></b>	<b>202</b>	<b>97</b>	<b>299</b>			<b>100%</b>

<sup>1</sup> Data excludes meeting of Brent Network of Residents Associations

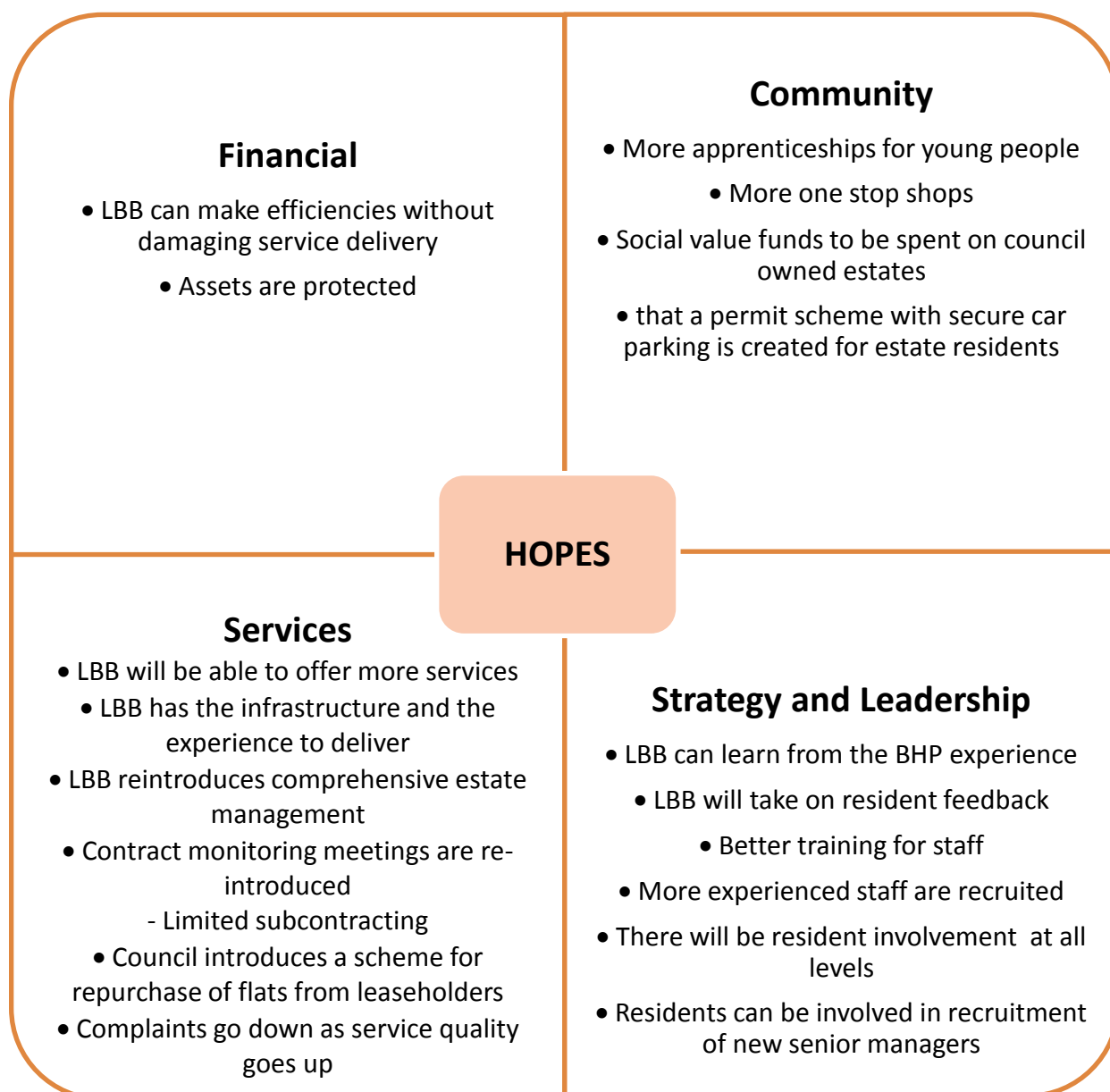
<sup>2</sup> More than one meeting scheduled in area



# Network of Resident Associations Workshop discussion

7<sup>th</sup> September 2016 (revised 11<sup>th</sup> March 2017)

## Option 2: LBB brings Housing Management In-House



## Financial

- Privatisation of social housing
- social housing funds are used for other council projects
  - there will be insufficient funds to complete the major works programme
  - that cost comes first over quality
- that there will be excessive central costs that are not VFM

## Community

- Residents Associations loose influence
- LLB fails to communicate or interact with residents (past experiences)
  - Residents become just a LBB statistic
- Non-progression : inability to learn from the past

## FEARS

## Services

- No improvement in services
- Centralisations of services so becomes remote to the service and residents' needs
  - Inaccessible services caused by digitisation
- The out-of-hours service ceases
  - The good contractors are lost
- Street properties are forgotten

## LLBrent

- LBB will not take on resident feedback
- LBB will not prioritise social housing as attention is given to other issues
  - LBB has inability to understand resident's views and needs
- poor delivery of services and poor communications

## Equality Analysis

### Stage 1 Screening Data

#### **1. What are the objectives and expected outcomes of your proposal? Why is it needed? Make sure you highlight any proposed changes.**

In June 2016 the Cabinet decided to commission a formal review of Housing Management options for its housing stock, which was prompted by two main considerations:

Firstly, the government's Housing and Planning Act (2016) and other measures will have a significant impact on the council's housing stock including on its future size, financial performance and management over coming years. It was therefore appropriate to consider the implications for housing management services and how these could best be developed and delivered in the context of these challenges, while at the same time ensuring that the quality of service for Council's tenants and leaseholders is improved.

The second consideration was the performance of BHP, the Council's existing Arms Length Management Organisation (ALMO). The details of the performance issues and concerns raised by the Council and its tenants and leaseholders via a number of telephone and face-to-face surveys and focus groups are set out in the Review of Housing Management Options report which accompanies this Cabinet report.

In view of both the challenges presented by the government's reforms and the issues of concern in respect of BHP's performance the Cabinet concluded it was necessary to consider afresh the most appropriate arrangements for the management of the Council's stock.

The purpose of the review was to examine how best to provide housing management services to the Council's tenants and leaseholders and to identify the option that most effectively meets the agreed objectives to::

- Assure the provision of modern, high-quality and continuously improving housing management services to tenants and leaseholders
- Achieve significant efficiencies and savings to contribute to the financial sustainability of the Council's Housing Revenue Account (HRA)
- Maximise the value of the Council's housing stock through active asset management and the development of new affordable homes
- Contribute to improved outcomes for Council tenants, particularly the most vulnerable individuals and households, in respect of education, employment and training, health and wellbeing and tenancy sustainment.
- Help to deliver the Council's strategies and objectives.

The options which the Cabinet agreed in June should be examined are:

- i. To continue with BHP on a reformed basis
- ii. To bring the service in-house and directly provide housing management services
- iii. To enter into a partnership with another organisation to provide these services

These options are described and evaluated in detail within the Review of Housing Management Options report included as Appendix 1 to the Cabinet report.

Overall, while there are a number of differences between the three options, each of them is anticipated to achieve significant improvements and positive outcomes for tenants and leaseholders such as:

- Delivering significant improvement in service quality and customer satisfaction while generating efficiencies and savings to respond to the financial pressures arising from the government's reforms.
- Harnessing digital technologies to enable customers to interact and transact with services online.
- Supporting residents' increased wellbeing through the quality of housing and management services and making links to other services.
- Improving customer insight and using data to drive continuing service design and development.
- Enhancing resident involvement and engagement.

There is also a scope under all the options for further integration with the council in the areas of public realm management, dealing with anti-social behaviour and improving customer service arrangements – areas that both tenants and leaseholders believe require improvements. Financial inclusion and adaptations are the other two areas where stakeholders have identified the need for a more streamlined and joined up approach, regardless of the selected option.

## **2. Who is affected by the proposal? Consider residents, staff and external stakeholders.**

The Council owns approximately 8,000 homes which are tenanted, and the freehold of a further 4,000 homes which are held by leaseholders on long leaseholds. In addition BHP, which is wholly owned by the Council, owns a further 333 homes. The following stakeholders are likely to be affected by the review but the impact will vary depending on the preferred option:

- a. The tenants, leaseholders and the households of the BHP owned properties – the residents; and
- b. The employees of BHP (approximately 177 persons) – employees are not in the scope of this EA; a separate EA will be carried out if the preferred option is likely to have an impact on staff.

### **3.1 Could the proposal impact on people in different ways because of their equality characteristics?**

It is anticipated that the review will result in improvements of outcomes and quality of services delivered to Council's tenants and leaseholders across all protected characteristics. When looking into the Council's tenants' diversity profile, however, it is notable that:

- 67% are non-white, which is 7% higher than the Brent population as a whole. There is a significantly higher proportion of black tenants and lower proportion of Asian tenants when compared to Brent's population as a whole.
- The religious profile tends to reflect the ethnicity of tenants, with a higher proportion of Christianity and notably lower proportion of Hinduism. There are

slightly more Muslims amongst the tenant base but this is not marked – 23% compared to 20% in the Borough.

- The two biggest age groups in the tenant profile are 40-49 and 50-59 year olds but over one third (34%) of tenants are over 60 years old.
- 59% of tenants are women which means that female tenants are slightly over-represented in the tenants' profile compared to the Borough average. Interestingly, although there are slightly more elderly women than men the difference is not marked, whereas in the age groups 30-60 women outnumber men by almost half as many again. This might suggest an increasing preponderance of female tenants in future years, though without analysis of trends in allocations data this is only speculative.
- Amongst all tenants, around 4% have declared a disability. Amongst tenants aged 60, disability is roughly double that rate. The declared percentages, however, are significantly lower than the proportion of residents declaring disability in the borough (over 14%).
- Almost 8% of tenants are classified as vulnerable, over half of whom are older tenants.
- Across the borough, unemployment is higher than the national average at 7%, with over 10% of Brent residents in receipt of out of work benefits.
- 31% of employees living in Brent are low paid, the second highest of any London borough and ten percentage points higher than average. ONS data at the end of 2015 showed that the median salary of a Brent resident is £25,203.
- 84% of tenants and 43% of leaseholders claim Housing Benefit

The rights and responsibilities of Council's tenants and leaseholders will NOT change through the outcome of the review, regardless of the selected option. As previously advised, a full Equality Analysis has now been conducted and is outlined below based on the preferred option agreed by Cabinet. .

### **3.2 Could the proposal have a disproportionate impact on some equality groups? If you answered 'Yes' please indicate which equality characteristic(s) are impacted**

Due to their significant representation in the tenants' diversity profile, the individuals and groups that are more likely to be affected by and/or benefit from the preferred option, and therefore should be given full consideration when assessing the impact of the preferred option, are:

- tenants from black and minority ethnic groups, particularly black tenants
- Tenants of working age, particularly the 40-49 and the 50-59 age groups, but also tenants over 60.
- vulnerable tenants due to disability, older age and/or another type of vulnerability - while the disability rate of tenants is lower than the borough average, it is known that disability is usually under-reported. There is also a link between disability and older age, which is often linked to other types of vulnerability. Of those tenants who are considered to be vulnerable, over half are residents tenants aged 60 and over.
- socio-economic groups – while socio-economic status is not a protected characteristic on its own, we know that a great proportion of residents live on low incomes (e.g. 31% earn less than the LLW) and that socio-economic disadvantage has a huge impact on their quality of life and exposure to vulnerability. It is notable that 84% of tenants and 43% of leaseholders claim



Housing Benefit, which suggests that the majority of Council's tenants and a great proportion of Council's leaseholders are affected by socio-economic disadvantage. Financial inclusion is therefore a key priority for the Council in relation to its tenants/leaseholders and the wider population.

To help inform the review, the Council commissioned an independent research company to undertake opinion survey and a qualitative examination of residents using focus groups and in-depth interviews, in addition to the regular BHP surveys carried out over the past 18 months. Some of the targeted groups that were consulted as part of this research were: older tenants, tenants with disabilities, BAME tenants and young people with known vulnerabilities. The engagement activities carried out did not identify specific equality related concerns, apart from questions related to the Community Fund, BHP Academy and financial inclusion. Detailed information on the methodology and findings is available in the accompanying Review Report.

### **3.3 Would the proposal change or remove services used by vulnerable groups of people?**

The outcome of the review should, as set out in section 1 above identify the option which, in the opinion of the Council best:

1. Assures modern, high-quality services
2. Achieves significant efficiencies and savings
3. Maximises the value and performance of the housing stock and new build homes
4. Contributes to better outcomes for tenants, particularly the most vulnerable households (e.g. health, employment & skills, wellbeing, tenancy sustainment)
5. Helps to deliver the Council's strategies and objectives

Therefore it is expected that all three options will deliver an improvement of the services for all of those who are affected, particularly the most vulnerable groups. The changes should not result in the removal of services which are used by vulnerable groups but it is acknowledged that when assessing the impact from the preferred option, due consideration must be given to ensure that the work and good practice around financial inclusion, communication and engagement with vulnerable groups (including people with disabilities and older people) is retained and further improved.

### **3.4 Does the proposal relate to an area with known inequalities?**

Yes. Please refer to section 3.2 above.

### **3.5 Is the proposal likely to be sensitive or important for some people because of their equality characteristics?**

Yes. Please refer to section 3.2 above.

### **3.6 Does the proposal relate to one of Brent's equality objectives?**

There are 5 Brent equality objectives – which are:

1. To know and understand all of our communities
2. To involve our communities effectively

3. To demonstrate leadership in equalities and human rights, both within the council and amongst partners, and organisational commitment to excellence
4. To ensure that local public services are responsive to different needs and treat users with dignity and respect
5. To develop and sustain a skilled and committed workforce able to meet the needs of all local people.

The review relates particularly to objectives 2, 4 and 5.

#### **Recommend this EA for Full Analysis?**

**Yes**

**4. Use the comments box below to give brief details of what further information you will need to complete a Full Equality Analysis. What information will give you a full picture of how well the proposal will work for different groups of people? How will you gather this information? Consider engagement initiatives, research and equality monitoring data.**

After the preferred option was agreed by Cabinet, all tenants and leaseholders were invited to give their views on the Council's preferred housing management review option. Older tenants, disabled people, young people and people of other vulnerable groups were provided with easy to understand and accessible information so that they can make an informed decision. There were alternative ways for tenants and leaseholder to feed back their views where they could not or prefer not to use the mainstream consultation channels. The findings of the consultation are available in Appendix 1.

#### **Stage 2: Analysis**

**5. What effects could your policy have on different equality groups and on cohesion and good relations?**

##### **5.1 Age (*select all that apply*)**

☒ **Positive**

☐ **Neutral**

☐ **Negative**

##### **Please give details:**

One of the primary drivers for the review and the proposed decision is that service quality needs to fundamentally improve and that the in-house option gives the Council direct control over the steps needed to bring this about. It is therefore anticipated that this change will have a positive or neutral impact on tenants and leaseholders across all protected characteristics, particularly the most vulnerable groups.

It is acknowledged that when implementing the preferred option due consideration must be given to ensure that the work and good practice around financial inclusion, accessible communication and engagement with vulnerable groups (including people with disabilities, BAME groups and older people) is retained and further improved.

##### **5.2 Disability (*select all that apply*)**

☒ **Positive**

☐ **Neutral**

☐ **Negative**

**Please give details:**

As already detailed in 5.1 above.

**5.3 Gender Identity (*select all that apply*)**

☐ **Positive**

☒ **Neutral**

☐ **Negative**

As already detailed in 5.1 above.

**5.4 Marriage and civil partnership (*select all that apply*)**

☐ **Positive**

☒ **Neutral**

☐ **Negative**

**Please give details:**

As already detailed in 5.1 above.

**5.5 Pregnancy and maternity (*select all that apply*)**

☐ **Positive**

☒ **Neutral**

☐ **Negative**

**Please give details:**

As already detailed in 5.1 above.

**5.5 Race (*select all that apply*)**

☒ **Positive**

☐ **Neutral**

☐ **Negative**

**Please give details:**

As already detailed in 5.1 above.

**5.7 Religion or belief (*select all that apply*)**

☐ **Positive**

☒ **Neutral**

☐ **Negative**

**Please give details:**

As already detailed in 5.1 above.

**5.8 Sex (*select all that apply*)**

☒ **Positive**

☐ **Neutral**

☐ **Negative**

**Please give details:**

As already detailed in 5.1 above.

**5.9 Sexual orientation (*select all that apply*)**

☐ **Positive**

☒ **Neutral**

☐ **Negative**

**Please give details:**

As already detailed in 5.1 above.

**5.10 Other (please specify) - *Socio-economic status***

☒ **Positive**

☐ **Neutral**

☐ **Negative**

**Please give details:**

As already detailed in 5.1 above.

**6. Could any of the impacts you have identified be unlawful under the Equality Act 2010? Prohibited acts include direct and indirect discrimination, harassment, victimisation and failure to make a reasonable adjustment.**

☐ **Yes**

☒ **No**

**7. Please provide a brief summary of any research or engagement initiatives that have been carried out to formulate your proposal.**

There have been 2 principal pieces of research carried out for this project:

1. During the review stage the Council employed an independent company, BMG, to carry out a survey of 600 residents (500 tenants and 100 resident leaseholders) to obtain their views on the service and the extent to which that they were satisfied with it. The outcome of this survey is set out in the Review Report and the whole of BMG's report is attached to that as an appendix. It should be noted that this survey forms part of a programme of regular 3 monthly surveys which BHP has initiated – the results of which are included in the trend analysis shown within their report.
2. As the principal instrument for the consultation with the Council's 11,451 tenants and leaseholders – the Council engaged ERS to act independently to undertake a survey of all of these. They sent a questionnaire to all and, in addition they contacted 600 direct (500 tenants and 100 leaseholders) by telephone to ensure that the result was representative. The results of this survey are documented in full within this report. There was a 26% response rate to this survey (20.4% if the telephone survey outcome is excluded)

Older tenants, tenants with disabilities, BAME tenants and young people with known vulnerabilities were some of the target groups of the consultation.

The respondents' profile was broadly reflective of the wider diversity profile of tenants and leaseholders. The three equality groups that were notably over-represented in the consultation, which was partly due to our targeted approach were: Asian or Asian British (Indian) leaseholders at 16%, Black African (19%) and Black Caribbean (16%) tenants, and disabled tenants and leaseholder (30% and 14%, respectively).

#### **What did you find out from consultation or data analysis?**

- The data analysis for the first survey, carried out by BMG, was fully explained in the report to Cabinet on the outcome of the review in November 2016. In summary it showed that the views of tenants and leaseholders across 15 months of similar 3 monthly surveys was not significantly improving.
- The second survey undertaken by ERS which was responded to by almost 3000 persons clearly shows that there is strong support for the Council's provisional proposal to bring the Council's housing management service back under its direct control. It found that for every respondent who expressed support for Brent Housing Partnership Ltd (8.1% in total), 6 respondents supported the Cabinet's preferred option (49.1% in total). The majority of the other respondents did not express a view, did not mind or were undecided.
- No major equality related concerns have been identified in either of the consultations carried out.

#### **Were the participants in any engagement initiatives representative of the people who will be affected by your proposal?**

All of the participants were persons who will be affected by the proposals – the surveys, mentioned above, were targeted to include only such persons.

Older tenants, tenants with disabilities, BAME tenants and young people with known vulnerabilities were some of the target groups of the consultations carried out.

#### **How did your findings and the wider evidence base inform the proposal?**

In both stages of the review the survey findings have been very influential in respect of the proposals that have been made. Indeed the most recent survey in February/March 2017 shows a clear and unequivocal support for the Council's proposal. No major equality related concerns have been identified in either of the consultation stages carried out.

### **STAGE 3: ACTION PLANNING**

Now, you will respond to your findings from the analysis stage and complete an action plan. At this stage you need to think about how to remove or reduce all the negative impacts that you have identified and how to maximise any opportunities to promote equality. This might mean making changes to your proposal or to the way that it is implemented.

#### **8. What actions will you take to enhance the potential positive impacts that you have identified?**

There are no negative impacts identified.

It is acknowledged that when implementing the preferred option due consideration must be given to ensure that the work and good practice around financial inclusion, accessible communication and engagement with vulnerable groups (including people with disabilities, BAME groups and older people) is retained and further improved.

**9. What actions will you take to remove or reduce the potential negative impacts that you have identified?**

As above.

**10. Please explain how any remaining negative impacts can be justified?**

As above.