

LONDON BOROUGH OF BRENT

SCRUTINY COMMITTEE

30TH APRIL 2003

FROM THE DIRECTOR OF HOUSING SERVICES

FP REF: HSG/02-03/

NAME OF WARD(S)

ALL

REPORT TITLE: **Scrutiny Committee Task Group on Registered Social Landlords and Housing Management**

For: Action / Information

Above Below
Confidential Line

1. Summary, Introduction and Acknowledgements

1.1 This report summarises the work of the Scrutiny Task Group on Registered Social Landlords and sets out recommendations based on the findings of the Group. A fuller report on the discussions, setting out the background, examples of good practice and an action plan has been produced as a separate document.

1.2 The report aims to:

- Provide an overview of the work of the Task Group and identify key outcomes and recommendations
- Summarise gaps and issues identified by the Task Group that require further work or specific action by the Council and/or RSLs
- Identify how recommendations and further actions will be linked to key objectives of the Housing and Corporate Strategies

1.3 The membership of the Task Group was Councillor Richard Harrod (Chair) and Councillors Arnold, Jones and Duffin, with support provided by Lorraine Brook (Legal and Democratic Services), Maggie Rafalowicz, Assistant Director of Housing, Strategy and Regeneration and Tony Hirsch, Head of Policy and Research, Housing Services. The Chair and members of the Task Group would particularly like to extend their thanks to the representatives from our partner organisations who contributed their valuable time and expertise. Thanks are due to: Derek King (Director of Regulation, Housing Corporation; Hassett Auguste (Ujima), Alan Tennock (Network); Clare Winstanley (Innisfree); Amanda Morrison (Notting Hill Housing Trust); Alan Beatty (Genesis); Neil Mawson (Metropolitan); Ricky Scipio (WestWay); Atul Patel (Asra Housing Association); Colin Moone (Assistant Director, Needs and Private Sector, Housing Services); Kevin Coleman (Housing Services).

2.0 Recommendations

2.1 This report includes two sets of recommendations: the first are recommendations of the Task Group to Scrutiny Committee, while the second set summarises the wider recommendations of the Group for further action by the Housing Service and RSLs.

2.2 Recommendations to Scrutiny Committee

2.2.1 Scrutiny Committee are asked to note the work of the Task Group and to record their thanks to the representatives from RSLs and the Housing Corporation who assisted in the process

2.2.2 Scrutiny Committee is asked to endorse the recommendations of the Task Group concerning the further work to be undertaken by the Housing Service and RSLs.

2.2.3 Scrutiny Committee is asked to agree to the establishment of a further Task Group during 2003/04 to consider the role of RSLs in development of new housing, with particular regard to regional policy and the West London Housing Strategy.

2.2.4 That a regular liaison forum should be established for members, officers and RSL representatives to discuss issues of mutual concern and ensure that the recommendations of the Task Group are taken forward.

2.3 Recommendations for Further Action

2.3.1 The Housing Service will work with RSLs to develop a local performance monitoring framework, using the existing Housing Corporation monitoring information and adapting or adding to it as appropriate while ensuring that there is no duplication of effort

2.3.2 The Housing Service will provide regular monitoring information as well as briefings on key developments or activities in the RSL sector.

2.3.3 The Housing Service will, in co-operation with RSLs, develop a set of good practice management standards

2.3.4 The Housing Service and RSLs will develop a Brent-wide Tenant Involvement Strategy, building on the outcomes from the first Brent Social Housing Tenants' Conference

2.3.5 The Housing Service will review and monitor nomination arrangements in conjunction with the Brent Housing Group and, in particular, the operation of Locata and its impact on key areas such as void management, mobility, the transfer needs of RSL tenants and the housing needs of vulnerable and BME groups

- 2.3.6 The Housing Service will provide all Councillors with details of RSL activity within their wards, including details of stock ownership
- 2.3.7 Housing and RSLs will work together to develop arrangements to assess the long-term impact of development proposals in terms of health, education and sustainable/community development
- 2.3.8 The Housing Service and RSLs will work together to develop guidance on best practice in the management of street properties and temporary accommodation
- 2.3.9 The Council and RSLs will seek to integrate current activity around crime and community safety and identify and disseminate best practice
- 2.3.10 The Council and RSLs will work together to develop a strategic approach to employment and training initiatives
- 2.3.11 The Brent Housing Group and its sub-groups will act as the main vehicle for sharing good practice
- 2.3.12 The Housing Service will work with RSLs to ensure that they are fully engaged with the development of the Housing Diversity Strategy
- 2.3.13 The Housing Theme Group will be responsible for ensuring that relevant issues are brought to the attention of the Local Strategic Partnership
- 2.3.14 Housing Service will provide all members with a summary briefing on housing options to assist when dealing with enquiries from residents
- 2.3.15 Further work will be undertaken to identify issues and options in the management of high-density housing and the management of temporary accommodation
- 2.3.16 The Housing Service and RSLs will, in line with the development of the Diversity Strategy, undertake further work on equalities issues, including nominations for BME residents, allocations to BME RSLs and service delivery by all providers.

3. Financial Implications

- 3.1 There are no immediate financial implications arising from this report.

4. Staffing Implications

- 4.1 There are no immediate staffing implications arising from this report.

5. Legal Implications

5.1 *Locata and Allocations*

The primary legislation that governs the allocation of new secure tenancies is in Part VI of the Housing Act 1996 (“the 1996 Act”), as amended by the Homelessness Act 2002 (“the 2002 Act”). As enacted, the 1996 Act introduced a single route into “council housing”, the Housing Register, with the intention that the homeless have no greater priority than other applicants for housing. Councils were required to adopt an allocations policy, and to allocate strictly in accordance with that policy. The policy therefore applies to all original lettings under the control of the Council – hence, it applies to the Council’s nominations to RSLs; it did not however apply to transfer applicants;

5.2 The main changes intended to be introduced by the 2002 Act to allocations (so far as here relevant) were:-

- the abolition of the requirement to keep a “Housing Register” and its replacement with a requirement to maintain a single allocations scheme which applies to transfer applicants as well as those seeking original lettings;
- permitting local authorities to introduce allocation schemes that gave an element of choice to applicants for accommodation

5.3 Brent has adopted LOCATA, a pilot choice-based Allocations Scheme, working in partnership with other local authorities and RSLs in the West London Alliance; initially applying only to one-bed cases, this was extended to all bed-sizes on 6 December 2002 following the Executive decision of 18 November 2002. Establishing priority under LOCATA is accomplished by placing applicants in one of 4 broad bands of priority; within each band, priority is established by time in that band (or a higher one). In effect, the highest priority bidder gets the property.

5.4 One effect of LOCATA is that, in handing control of “bidding” to the applicant, it reduces the degree of control that the council (and hence its RSL partners) has over the allocations process.

Procurement/joint commissioning

5.5 Any procurement exercise with which the Council is involved will be referred to Legal & Democratic Services for advice. Officers will need to ensure compliance with the Council’s legal obligations, including the European Community Procurement Regulations, the Council’s own standing orders and general fiduciary duties.

6.0 Detail

6.1 Role of the task group

6.1.1 The Task Group was established at members’ request to scrutinise aspects of the Council’s work with Registered Social Landlords (RSLs) and the Housing Corporation, which is the regulatory and funding body for the RSL sector. The Terms of Reference and Scope for the Group’s work are set out in full in Appendix 1 but are summarised below.

6.1.2 In preliminary discussions, members identified the following main areas for consideration:

- The need to encourage consistent management standards. Specific issues include rent arrears, void management, dealing with anti-social behaviour and enforcement of tenancy agreements.
- Tenant consultation and involvement
- Progress on “housing plus” issues, including employment initiatives, community development and contribution to overall regeneration priorities

6.1.3 It was therefore agreed that the primary aim of the working group would be to examine the ways in which RSLs contribute, or could contribute in the future, to taking forward the strategic aims out in the Corporate Strategy and the Housing Strategy, focusing on the following main areas:

- **Role of RSLs and the Housing Corporation**
- Main functions and structures of RSLs
- Role of the Housing Corporation, with a particular focus on regulation and monitoring
- Brent’s RSL Strategy
- Current partnership working arrangements, particularly the Brent Housing Group and its sub-groups
- Joint Commissioning

- **Management**
- Comparative performance between RSLs and BHP across key indicators
- Policy and practice in housing management, including rent arrears, anti-social behaviour, repairs and maintenance
- Policy and practice in tenant consultation and involvement
- Lettings and void management

- **Strategy**
- Crime and community safety
- The environment
- Employment and training
- Diversity

6.2 Methodology and Task Group Meetings

6.2.1 It was agreed that the review would be conducted over a period of three months from January to March 2003 through a series of meetings, attended by representatives of RSLs, the Housing Corporation and the Housing Service who would give oral evidence and answer questions from members. Support was provided by Housing staff in the form of background papers and suggested areas for questioning on the main issues for each meeting provide a context for discussion.

6.2.2 The structure and conduct of the meetings was informal, in line with the Chair's wish that discussion should be frank, open and wide-ranging and that a key outcome of the exercise should be a mutual learning process. Feedback on the meetings confirmed that all participants welcomed the opportunity to exchange information and views and to discuss ways in which the Council and its partners can work together more effectively in the future.

6.3.3 The Task Group held a total of five meetings between 18th January and 18th March and a summary of each is provided below.

6.4.4 1st Meeting – 18th January 2002 (Duration: 45 minutes)

The first session was a planning meeting to discuss work of the Task Group, its aims and work programme. A background briefing on general issues was discussed and RSLs to be involved were identified. Issues to be included in the scope and the process of the review were agreed.

6.4.5 2nd Meeting – 21st January 2003 (Duration: 1hr 50 minutes)

The meeting covered the role of the Housing Corporation and the Regulation of Housing Associations and was attended by Derek King (Director of Regulation, Housing Corporation). Questions were asked by Members in response to the issues raised by Mr King.

Key issues discussed:

- The role of the Housing Corporation (remit, structure, relationship with RSLs, the local authority and other organisations)
- Housing standards –how are these being addressed by RSLs, enforced and monitored?
- Void turnarounds -how can improvements be made by RSLs
- Standardisation between RSLs, partnership working, shared resources/information/funding.
- The role of the local authority and the role of tenants

6.4.6 3rd Meeting – 4th February 2003 (Duration: 2hrs 15minutes)

The meeting considered general issues concerning RSLs operating across Brent: who they are, how they operate and what issues they face in relation to housing management, such as how services are being improved, tenant participation, standardisation between housing associations and linkage between organisations to improve access to services.

Representatives from RSLs were: Hassett Auguste (Ujima), Alan Tennock (Network) and Clare Winstanley (Innisfree).

The Group discussed the management of those RSLs represented at the meeting and the relationship between the local authority and other RSLs/ organisations.

Key issues discussed:

- Community development and the influence of tenants
- How are services provided by the RSLs being monitored and improved
- Standardisation and partnership working between the RSLs? Is this possible and how can services be linked?
- Improvements to enabling greater access to services
- Dilemmas and tensions for RSLs – issues affecting tenant management
- Best Value Reviews and bench marking policy
- Brief outline of the implications of Locata

6.4.7 4th Meeting – 4th March 2003 (Duration:1hr 30 minutes)

The meeting focussed on two key areas: Employment and Crime & Community Safety.

Representatives from RSLs were: Amanda Morrison (Notting Hill Housing Trust), Alan Beatty (Genesis), Neil Mawson (Metropolitan) and Ricky Scipio (WestWay).

Key issues discussed:

- How RSLs are managing crime and community safety issues (anti-social behaviour/ noise nuisance reporting service, long/short term solutions, use of mobile CCTV, joint initiatives, ASBOs).
- The role of partnerships and ways in which to monitor their success
- The effect of neighbourhoods, delivery of services, funding and neighbourhood wardens/ neighbourhood based approaches.
- Crime and racial harassment – services to both victims and perpetrators of crime and racial harassment, collation of data.
- Employment – training and employment initiatives by RSLs, for example the mentoring scheme run by Westway, implications for funding and resources, outcomes.

6.4.8 5th Meeting – 18th March 2003 (Duration:1hr 50 minutes)

The Group focused on two key issues: the Locata scheme and the proposed recommendations from the task group to the Scrutiny Committee.

Representatives from RSLs and Housing were: Colin Moone (London Borough of Brent), Alan Beatty (Genesis), Kevin Coleman (Housing Services, LB of Brent), Atul Patel (Asra Housing Association).

Key areas discussed:

- Outline of the Locata scheme (structure, organisation)

- Specific issues that have arisen since the scheme came into operation in 2002 (long and short term considerations)
- How is the scheme working and how can it be improved?
- Effect of the scheme on void turnarounds, the number of people being re-housed, effects on transfer needs of existing RSL tenants
- The impact of similar schemes on the RSLs?
- Accessibility of the scheme and its sensitivity to cultural differences and the needs of vulnerable people

Final Report Recommendations:

- Discussion regarding the draft report/ guidelines
- Agreement of the Task Groups main recommendations and how the report should be presented to Committee
- Agreement regarding the production of the report (drafting/ consultation deadlines)

7.0 Conclusions

7.1 Performance

7.1.1 The Housing Corporation (London Region) has a remit to regulate and monitor the performance of RSLs operating in Brent. A range of performance information, much of it similar to the Performance Indicators applied to local housing authorities, is collected and published. One difficulty in this area has been the fact that most RSLs operate across more than one borough, making local performance information harder to obtain. The Corporation is addressing this issue and much more information is now available at the borough level. It was also noted that the Corporation is addressing the need to keep local authorities much more directly informed of performance issues, particularly where serious problems have been identified.

7.1.2 The Task Group was conscious of the need to avoid duplication in monitoring performance and to avoid placing undue burdens on RSLs to provide information to the Council as well as the Corporation. However, it was agreed that there is a need for more regular and timely monitoring and that the Housing Service and RSLs should work together to develop an agreed process. This will be led by the Brent Housing Group and facilitated by the establishment of the new Enabling Team within the Strategy and Regeneration Division.

7.1.3 The need for better information for members, both in terms of performance and more general issues, was recognised. It was therefore agreed that the Housing Service will ensure that all members are provided with information about RSLs active in their wards and with advice and information about common housing issues likely to arise in surgeries.

7.2 Management

7.2.1 The Task Group noted a range of good practice across RSLs in the borough. It was acknowledged that different organisations will have

varying approaches to management issues and that it would not be desirable to try to impose a single process on all housing providers. However, it was also accepted that it would be desirable to work towards a set of agreed common standards which, while allowing for variation, would give tenants more clarity about the service they can expect.

7.2.2 Particular issues were raised about management in mixed tenure neighbourhoods, where several different social landlords might operate at the same time. Similar questions arose concerning the management of scattered street properties, many of which are used to provide temporary accommodation for homeless households. It was agreed that improved information to members would assist in dealing with any issues that might arise at ward level, while the development of common standards and better sharing of best practice would assist in delivering consistently high standards of service.

7.2.3 Finally, it was recognised that, in the longer term, particular issues are likely to arise as a result of development at higher densities. This will present special challenges and it was agreed that higher density housing will only work alongside effective housing management. It was therefore recommended that further joint work should be undertaken to identify issues and solutions.

7.3 Lettings and Nominations

7.3.1 The need for the Council to ensure that lettings systems and, in particular, systems for nominations to RSLs work efficiently and effectively was stressed. It was generally agreed that the introduction of Locata, the choice-based lettings scheme, had seen a number of improvements, particularly in enabling tenants to exercise a real degree of choice over their housing. It was also noted that, so far, the introduction of choice has not had any adverse effect on the time taken to let properties. RSLs stressed that, while they are keen to work with the council to address housing need, there are knock-on effects for their ability to offer transfers to their own tenants and in some cases this problem is becoming severe. It was agreed that further work should be undertaken to analyse problems and identify possible solutions.

7.4 Crime and Community Safety

7.4.1 Again, the Task Group was advised of many areas of good practice across RSLs and Housing. Examples included pilot street warden schemes by the Council and RSLs and a range of schemes to engage with young people. It was recognised that there is a risk that efforts could be duplicated and that there is a need for better joint working and sharing of information in this area. In particular, it was noted that in mixed tenure neighbourhoods there was a danger that service provision and standards might vary according to who owns the housing.

7.5 Employment and Training

7.5.1 The Task Group noted a range of good practice and successful initiatives, notably the Notting Hill Housing Trust Construction Training Scheme. In line with findings in other areas, the need to share and disseminate best practice and to ensure that all providers are engaged with relevant schemes was recognised. In particular, the need to link existing or planned initiatives into the wider Brent in2 Work scheme was noted.

7.6 Taking the Work Forward

7.6.1 It is recommended that a regular forum should be established to bring together members, officers and RSL representatives to take forward the issues addressed in the work of the Task Group. In addition, a range of partnership structures already in place will be vehicles for taking forward the recommendations of the Task Group. In particular, the Joint Commissioning Partnership and the wider Brent Housing Group will be the focus for further consultation and specific projects identified in the recommendations. In the sub-regional context, the West London Affordable Housing Group will provide a mechanism for extending discussion and action across the boroughs and for feeding into the development of the West London Housing Strategy.

7.6.2 The Task Group's main focus was on housing management and related issues. During discussions, a number of issues arose concerning development and provision of new affordable housing, for example proposals for development at higher densities and provision of community facilities and infrastructure in new developments. These questions were outside the Task Group's remit, but it was a need for further work was recognised. It was therefore recommended that the Scrutiny Committee should consider setting up a second Task Group to examine development and related matters.

APPENDIX 1: TERMS OF REFERENCE AND SCOPE

1. Terms of Reference

Aims

The primary aim of the working group will be to examine the ways in which RSLs contribute, or could contribute in the future, to taking forward the Council's strategic aims as set out in the Corporate Strategy and the Housing Strategy. In preliminary discussions, members identified the following areas for consideration:

- The need to encourage consistent management standards. Specific areas for consideration will include rent arrears, void management, dealing with anti-social behaviour and enforcement of tenancy agreements.
- Tenant consultation and involvement
- Progress on "housing ;plus" issues, including employment initiatives, community development and contribution to overall regeneration priorities

The scope for the exercise sets out the areas for review in more detail.

The aims of the review will be to:

- Assess the effectiveness of current partnership arrangements between the Council and RSLs
- Assess the effectiveness of RSL's contributions to strategic aims
- Identify best practice in housing management
- Compare performance across different RSL sand Brent Housing Partnership
- Assess the effectiveness of current arrangements for monitoring performance
- Make recommendations to improve operational and strategic delivery and encourage consistent good practice across all social housing providers

Methodology

The review will be conducted over a period of three months from January to March 2003. During this time it is anticipated that the group will meet four times. The group will consider background papers to be provided by the Strategy and Regeneration Division and will hear oral evidence from Housing staff, individual RSLs and the Housing Corporation

A detailed timetable and list of tasks for the review are set out in the project plan.

SCOPE

The potential scope for a review of the work of RSLs and their relationship with the local authority is very wide. Limitations of time and resources require a clear focus on a selected range of key issues. It should also be noted that the current Best Value review of the strategic housing function will encompass the Housing Service's role as enabler and partner with RSLs. To ensure that the two pieces of work complement each other and that members are in a position to examine the issues they have highlighted, it is proposed that the review should concentrate on the following main areas:

1. Role of RSLs and the Housing Corporation

The review will consider the general background and current roles, including:

- Main functions and structures of RSLs
- Role of the Housing Corporation, with a particular function on regulation and monitoring
- Brent's RSL Strategy
- Current partnership working arrangements, particularly the Brent Housing Group and its sub-groups
- Joint Commissioning

2. Management

The review will examine:

- Comparative performance between RSLs and BHP across key indicators
- Policy and practice in housing management, including rent arrears, anti-social behaviour, repairs and maintenance
- Policy and practice in tenant consultation and involvement
- Lettings and void management

3. Strategy

The review will consider RSL's contribution to corporate strategic and regeneration priorities, including:

- Crime and community safety
- The environment
- Employment and training
- Diversity