

	Cabinet 17 June 2024
	Report from the Corporate Director of Neighbourhoods & Regeneration
	Lead Member – Cabinet Member for Housing (Councillor Promise Knight)
Tenant and Leaseholder Engagement Strategy 2024 - 2028	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
List of Appendices:	Three: Appendix 1: Tenant and Leaseholder Engagement Strategy Appendix 2: Consultation analysis for draft strategy Appendix 3: Building Safety Engagement Strategy
Background Papers:	Regulator for Social Housing (Draft) Consumer Standards Tpas engagement standards
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1. Executive Summary

- 1.1. This report sets out the draft Tenant and Leaseholder Engagement Strategy and supporting Building Safety Engagement Strategy, both of which are required to fulfil the obligations of Social Housing landlords as per the Regulator for Social Housing Consumer Standards and Building Safety Act (2022).

- 1.2. The report presents final drafts of both documents (Appendix 1 & Appendix 3) plus a summary of the consultation responses received by tenants and leaseholders and seeks approval to formally adopt both strategies.

2. Recommendation(s)

That Cabinet:

- 2.1 Approves the Tenant and Leaseholder Engagement Strategy, presented in Appendix 1.
- 2.2 Notes the feedback from formal consultation on the engagement strategy and how feedback will be used, presented in Appendix 2.
- 2.3 Approves the Building Safety Engagement Strategy, presented in Appendix 3.

3. Cabinet Member Foreword

- 3.1. The Tenant and Leaseholder Engagement Strategy presented in this report has six promises about how we will listen to the people living in Council homes.
- 3.2 In Brent, we support Equality, Diversity, and Inclusion, with the Strategy focussed on protecting those living in social housing.
- 3.3 Listening to Tenants & Leaseholders in development of the strategy has been very important.
- 3.4 Enabling our communities is a desired outcome of the Borough Plan and forms part of the Strategic Priority: Thriving Communities.
- 3.5 Under this desired outcome, the Council commits to introducing and delivering a new Community Engagement Framework. This strategy will feed into this Framework and ensure that the voices of those living in Council homes and on Council estates shape the services that they receive. This strategy will also contribute to capturing residents' experiences of their neighbourhood and communities. Though this strategy is specific to Council tenant and leaseholders, the purpose is to amplify their voices across all themes and priorities within the borough plan, so those living in social housing who are often underrepresented can have their say across Brent.

4. Background

- 4.1. The need and benefit gained by engaging people living in social housing was first acknowledged at a national level following the 1988 Duke of Edinburgh inquiry into social housing.
- 4.2. Since, engagement has taken various forms, featuring in national policy, introducing the Right to Manage, the launch of tenant compacts (2005). Additionally, the national body for maintaining standards within the social housing sector changed, this includes the change from the Tenant Services

Agency to the Homes and Communities Agency in 2011, which was subsequently replaced by Homes England and the Regulator for Social Housing which we now have in place today.

- 4.3. The level of priority tenant engagement was given by social landlords however fluctuated across organisations and followed economic trends, with dedicated engagement teams being reduced as landlords needed to make cuts.
- 4.4. The purpose of setting out this brief history is to highlight that whilst new legislation has been introduced for the social housing sector, specifically the Building Safety Act (2022) and the Social Housing Regulation Act (2023), engagement with tenants has always been seen as a pillar of good practice for social housing landlords.
- 4.5. More recently, tragic events such as the fire at Grenfell Tower and the death of 2-year-old Awaab Ishak because of damp and mould, as ruled by the coroner, has led to critique nationally that engagement with social housing tenants has become a tick box and not empowering tenants to influence the services they receive.
- 4.6. The Building Safety Act (2022) and Social Housing Regulation Act (2023) set to change that. Both pieces of legislation hold at the centre, the need to listen to the views and experiences of tenants and leaseholder whose freeholder is a social housing landlord. These Acts also give greater power to national government bodies to hold social landlords to account.
- 4.7. The Regulator for Social Housing launched consultation in 2023 on a new consumer standard that social landlords will be inspected against. This inspection regime will for the first time, include local authority landlords. The proposed consumer standards replace the 'Tenant Engagement and Empowerment Standard' with a two new standards 'Transparency, Influence and Accountability Standard' and 'The Neighbourhood and Community Standard'.
- 4.8. Within these new standards, there is greater emphasis on treating tenants with respect, acknowledging diversity, and adapting communication styles to meeting this, and working more proactively with tenants to promote social, environmental, and economic wellbeing within their communities and neighbourhoods.
- 4.9. This has created an opportunity to completely overhaul how engagement is delivered.

5. Tenant and Leaseholder Engagement Strategy

- 5.1. The strategy is presented in Appendix 1 and contains six commitments that will be delivered through the course of the strategy. These commitments are the desired outcomes the service seeks to achieve, each commitment is underpinned by a series of actions. Through formal consultation, tenants and leaseholders rightly challenged the language used in the draft strategy, asking

for plain English and less jargon, less corporate language and for it to be shorter. In response, the strategy presented in this Cabinet report has been updated, so that the content can be read and understood by a wide audience. The commitments and actions in the proposed strategy for approval are set out below.

5.2. Commitment One: We have a culture that respects engagement & make changes using your feedback.

How we will do this:

- We will offer various ways for you to get involved and share feedback.
- Achieve the National Engagement Standard set by the tenant engagement support organisation, TPAS.
- Make sure our contractors (repairs) also offer ways you can get involved.
- We will train all new housing staff on engagement and refresh this training annually.
- We will establish a tenant and leaseholder committee to hold the Council accountable.

5.3. Commitment 2 – We will learn from your feedback.

How we will do this:

- We will regularly review feedback and complaints to spot areas for improvement.
- Share learning with housing staff and change our practice using this information.
- Host events each year so you can meet with housing staff and report any issues.
- We will use data to identify neighbourhood priorities and engage with specific estates to understand issues.

5.4. Commitment 3 – We will challenge stigma and make sure you feel included.

How we will do this:

- We will work with you to address any stigma and raise awareness among staff and contractors.
- We will ensure communication is respectful and inclusive.
- Offer training to all housing staff on challenging stigma and stereotypes about people who live in social housing.
- Make community spaces places you feel safe no matter your age, gender, sexuality, religion, ability, race & ethnicity.

5.5. Commitment 4 – We will make sure you influence decisions about the service we provide.

How we will do this:

- We will involve you in decision-making at both the neighbourhood and strategic levels.

- We will compensate you for your time and ensure you are part of assessing bidders and renewing contracts.
- We will work with you if you live in a high-rise block, so you feel safe and have a say on any work we need to carry out.
- Make sure your housing officer regularly inspects your block or estate and invites you and your neighbours to join them.
- Provide you with regular updates on changes to our service and how your feedback has been used.

5.6. Commitment 5 - We will be transparent with you and provide information so you can challenge us.

How we will do this:

- We will regularly share information with you using various channels about our performance.
- We will share the results of any consultation or engagement activity we carry out.
- We will meet with Resident Association representatives every two months (minimum) and present how we have delivered this strategy.
- We will support you in scrutinizing services and presenting findings to senior managers.

5.7. Commitment 6 – We will work with you to make a positive contribution to where you live.

How we will do this:

- We will promote opportunities for you to get involved in community activities.
- We will review community spaces to ensure they are used effectively and safely.
- Help you and your neighbours to apply for funding to run events and activities on your estate or in your community.
- Work with you and our partners like the Police on problems like anti-social behaviour and crime.

6. Tenant and Leaseholder Engagement Strategy Consultation and development of the strategy

6.1. To develop this strategy, the Council engaged a wide range of stakeholders including residents, elected members, consultants and searched for best practice examples.

6.2. In July 2023, a pop-up roadshow was held across 11 estates, a team of engagement officers, the patch housing officer and estate caretaker attended to speak with tenants and leaseholder about the strategy commitments and gather their views. Whilst on site across the 11 estate, 74 actions were captured, ranging from tenants and leaseholder expressing their interest in being more involved, to outstanding repairs, parking queries and tenancy questions.

- 6.3. Holding a summer roadshow will also now become an annual event, specifically to increase visibility and presence on estates.
- 6.4. The draft commitments were also posted on Citizens Lab in August as posted for 6 weeks. A focus group was held with five tenants and leaseholders to have a more detailed discussion about the commitments and proposed actions. Finally, the service also used the staff networks to challenge our approach to engagement and explore how we can ensure our approach encourages tenants and leaseholders representing different ethnicities, sexual orientation, those with a disability to have their say.
- 6.5. Across the feedback captured there were themes identified. The vast majority of those who engaged with the service on the proposed strategic commitments not only supported them but welcomed them as the direction they wish to see the Council operating. There was however an air of caution in the feedback received, with respondents agreeing they are the right areas to focus 'if you can live up to them'. This demonstrates a sense of doubt that the commitments will be followed through by the Council.
- 6.6. The Council then went out to formal consultation on the developed strategy which ran from 16 March 2024 – 10 May 2024. The consultation received 129 responses and the feedback is set out in Appendix 2.
- 6.7. A core theme received from the feedback was the need to simplify the language as stated in point 6.1. In response, a full re-draft of the strategy has now been completed and Appendix 1 is the revised version for approval. Other actions being taken forward include:
- Include upcoming consultation and engagement activity on the website that has been planned for this year (including updating the Council's anti-social behaviour policy and current repairs re-procurement consultation **(target August 2024)**)
 - Publish or share outcomes from all consultations and engagement activities run by the service and include what impact has been made **(introduce from June 2024)**
 - Publish information on how tenants and leaseholders can get involved **(target July 2024)**
 - Produce a specific policy on reasonable adjustments so tenants and leaseholders feel able to have a say regardless of their circumstances **(target October 2024)**
- 6.8. In some of the responses received to our consultation, tenants and leaseholders raised issues directly affecting them. These issues or questions have been extracted from the consultation and will be formally logged as service requests and allocated to the relevant team within the Council. This ensures there is an audit trail for each query and ensures that every issue is resolved or receives the requested information. This will be standard practice going forward.

7. **Building Safety Engagement Strategy**

- 7.1. The Building Safety Act (2022) introduced new requirements for building owners to demonstrate their ability to identify and manage safety risks in 'high risk buildings'. High risk buildings are defined as buildings 18m or more in height OR seven storeys or more and contain at least two flats.
- 7.2. The Act specifically requires landlords to establish an engagement strategy for higher risk buildings outlining how Brent Housing Service will communicate and share information with tenants, leaseholders and their household members and identify their needs regarding building safety.
- 7.3. Appendix 3 presents a copy of the strategy for consideration. Again, this strategy has been reviewed to ensure its content is Plain English. The strategy includes a commitment to holding an annual meeting with every high-risk block that has been registered, this is not something every social landlord is offering.
- 7.4. To inform the content of this strategy, a letter outlining the requirements of the Building Safety Act (2022) and a paper copy of the strategy were sent out to every resident living in a high-risk block. The draft strategy was also published on Citizens Lab. The Council did not receive any feedback on the documents shared but is committed to continuously evolving the approach as the meetings with residents take place and feedback is captured on a more ad-hoc basis.
- 7.5. The first round of Building Safety Engagement Meetings has now been completed for all high-risk blocks. The Council is now seeking feedback from tenants and leaseholders to confirm the best method for sharing information and enabling them to influence decisions being made for their blocks regarding safety. The next round of meetings will start in November 2024. Again, meeting dates will be uploaded to the website and communications issued so there is advance notice of these meetings.

8. Menu of Involvement

- 8.1. A Menu of Involvement has been created to provide a series of options for tenants and leaseholders. The purpose of this Menu is to showcase the various opportunities that we will use to consult, engage, and inform ways of working. The Menu is based of different levels of time and commitment required from tenants and leaseholders. Options under the Menu include:

- Survey participant
- Focus group attendee
- Estate Walk about participant
- Block Champions
- Resident Association member or Committee Member
- Scrutiny panel
- Mystery shopper
- Young Tenant Panel Member
- Home Ownership Panel Member
- Tenant and Leaseholder Engagement Panel Member

- 8.2. Feedback from tenants and leaseholders is also collected informally, through events, roadshows, complaints and compliments received.
- 8.3. Tenants and Leaseholders are invited to express an interest in any of these activities and specify topics they are most interested in. When activities are scheduled, they are then proactively contacted.
- 8.4. To recognise the time and effort volunteered by Tenants and Leaseholders, an Incentives and Rewards policy has been developed, this has been shared with the corporate engagement team to ensure incentives and rewards are aligned within the Council.
- 8.5. It should also be noted that whilst this strategy and menu of involvement has been developed specifically for the purpose of engaging social housing tenants and leaseholders, there is a commitment to work closely with other engagement services and teams in the organisation. This will ensure there is greater consistency in how we engagement, sharing of resources and alignment of priorities overall.

9. Stakeholder and ward member engagement to date

- 9.1. The Affordable Housing and Partnerships service recently completed a re-organisation, combining engagement for the new council homes programme and on behalf of the landlord service. This has increased resources and allowed for more generic officer roles to be created. The new team will be fully recruited by March 2024.
- 9.2. Despite there being limited capacity within the service, there has been engagement with tenants and leaseholders carried out. Examples from 2023/24 include:
 - 9.2.1. **Scrutiny exercise:** 28 complaint responses issued by the Housing Management service were assessed by tenants and leaseholders. Each complaint was scored on:
 - Clarity
 - Empathy and professionalism
 - Whether the response addressed issues in full
 - Whether the outcome was satisfactory
 - Overall rating

The findings from this exercise were presented to all managers of people and those who are responsible for responding to complaints and it will be repeated in Q4.

- 9.2.2. **Action Day:** An action day was organised at Moatfield, a Council owned estate to carry out a large garden clearance. 45 volunteers from across Brent Council, Wates, Langley and Powerday working across the 2 days. We retrieved 2 mattresses, items of clothing, 1 bicycle, bicycle wheels, 1 moped

that had to be cut free from bushes, a safe, a buggy. Approximately 20 tonnes of green waste were removed from the garden over the 2 days. This action day was carried out following engagement with the resident association.

- 9.2.3. **Governance review:** Newman Francis have been commissioned to carry out a full governance review of the 19 Resident Association across Council owned estates plus an additional Resident Groups who had expressed an interest in becoming an Association. This review is due to complete end of February 2024.
- 9.2.4. **Chair of Resident Associations Meeting:** On a monthly basis we meet with all chair's regarding Repairs policy, lettable standard, community grants, impending legislative changes, tenant, and leaseholder engagement strategy.
- 9.2.5. **Building Safety Engagement Pilot Meetings:** Two pilot meetings were held for Lexington and Lodge and Manor Court. These meetings were scheduled in the evening and were face to face, however attendance at these meetings was low from residents. The service is now exploring how to boost attendance including offering online options and issuing building safety specific communications to those living in high-risk blocks.
- 9.2.6. **Housing Ombudsman Event:** An event was held at the Civic Centre on the 17 January where residents were invited to hear from the Housing Ombudsman directly, ask questions and raise queries regarding their own housing. Brent Housing Service Housing Officers were in attendance and spent time after the session meeting with residents to handle queries on a 1:1 basis. This event was well attended.
- 9.2.7. A tenant and leaseholder open day was also held on Thursday 14 March where over 250 tenants and leaseholders attended the Civic Centre to meet with officers from across housing and other Council departments. Feedback from this event was overwhelmingly positive, demonstrating the move towards increased face to face contact is the right strategy for the service.
- 9.3. A new team of community development and engagement officers has now been recruited and has been in place since April 2024. To capture reach and impact of engagement activity being carried out, the Council has introduced two new key performance indicators. These are:
 - *Number of engagement interactions undertaken on behalf of the Housing Management Service' - target 1,000*
 - *Number of recommendations made by tenants and leaseholders that have been implemented by the Council.*
- 9.4. For 2024/25, the service has already achieved 483 engagement interactions. Note this is not based on unique participants and tenants and leaseholders can attend multiple events. Activities include workshops, building safety engagement meetings, survey responses, another complaints scrutiny and chair of resident association meetings.

10. Financial Considerations

- 10.1. Housing Service changes in relation to the draft tenants and leaseholder strategy, along with commitments detailed in this report will be delivered within existing approved budgets, which comprises of £0.13m for customer engagement and contribution towards staffing cost.

11. Legal Considerations

- 11.1. On 6 April 2023, the Higher Risk Buildings Regulations 2023 (the 2023 Regulations”) came into force, these regulations implemented s.156 of the Building Act 2022 (“2022 Act”) and require all existing occupied high-risk buildings to be registered from 6 April 2023 and by no later than 1 October 2023 in a register set up by the Building Safety Regulator (“BSR”). Section 77 of the 2022 Act makes it an offence for the building to be occupied without being registered (for which the Principal Accountable Person (“PAP”) will be held liable. The Building Safety Act names the Health and Safety Executive (HSE) as the new Building Safety Regulator (BSR) in England. The 2023 Regulations and the HSE has stated that registration of occupied higher-risk buildings had to be completed before October 2023 to avoid committing an offence. The HSE has said that those who fail to comply will be investigated and may be prosecuted.
- 11.2. The Social Housing (Regulation) Act 2023 (“2023 Act”), which received Royal Assent on 20th July 2023 has introduced a new proactive approach to regulating social housing, ensuring standards are met and taking action against failing landlords. Its aim is to strengthen legislative powers to tackle failing social landlords and to provide better support for tenants living in unsafe homes.
- 11.3. The 2023 Act provides the Regulator with a power to give directions to Registered Providers (RPs), including local authorities, to collect, process and publish information about their performance in relation to the regulatory standards. The Regulator has already consulted on and published the Tenant Satisfaction Measures (TSMs) in April 2023, the Regulator introduced 22 mandatory TSMs creating a new system for assessing how well social housing landlords are doing at providing good quality homes and services, this includes those applicable directly to building safety as well as those based on tenant perception. The requirement on RPs to start collecting data also started from 1st April 2023 and it is anticipated that the first year of data from RPs will be published in Autumn 2024.
- 11.4. It is important that the Council complies with good practice standards, regulatory standards and the relevant legislation.
- 11.5. Failure to comply with these duties could result in formal prosecution being brought against the council as a landlord e.g., potential of a corporate manslaughter case for the most serious of breaches. Failure can also result in a breach of the Regulator’s Home Standard and a regulatory notice if there was actual or potential serious detriment to council tenants.

12. Equality, Diversity & Inclusion (EDI) Considerations

12.1. The Council must, in the making of decisions in exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment and victimisation;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it, pursuant to s149 (1) Equality Act 2010. This is known as the Public Sector Equality Duty.
- Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

12.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

12.3 The Housing Management service is committed to increasing the equality data held so that decisions being made can more effectively consider equality, diversity, and inclusion implications.

13. Climate Change and Environmental Considerations

13.1 No considerations to note.

14. Human Resources/Property Considerations

14.1 No considerations to note.

15. Communication Considerations

15.1 No considerations to note.

Report sign off:

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Regeneration