

Report title	Social Housing Regulation Act 2023 – Landlord Services Review	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Steve Evans Deputy Leader: City Housing	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	John Roseblade, Director of Resident Services	
Originating service	City Housing	
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Report to be/has been considered by	Investment and Economy Matrix Leadership Meeting Directorate Leadership Team Strategic Executive Board Cabinet Member Briefing Leader Briefing Executive Team Scrutiny Board	31 August 2023 5 September 2023 5 September 2023 8 September 2023 18 September 2023 18 September 2023 26 September 2023

Recommendations for decision:

The Cabinet is recommended to:

1. Approve option 3; to implement the key findings, conclusions, and recommendations of the Independent Strategic Housing Review conducted by Campbell Tickell. With a primary focus on the following:
 1. An overarching Shareholder Board as a focus for housing governance.
 2. Amend the Management Agreement and Partnership Pledge to reflect the Regulatory landscape and strengthen City of Wolverhampton Council's (CWC's) ability to lead on improvements where necessary.

3. Strengthen the clienting arrangements with defined roles and responsibilities, accountabilities for demonstrating assurance and re-assurance, and clear reporting structures.
4. Develop a shared evidence base to demonstrate Regulatory compliance, to support re-assurance testing, a clear line of sight and single view of the truth. CWC lead on creating a Data Process Strategy that ensures data is being recorded consistently across all teams with associated automated Data Quality and reporting.
5. Align Wolverhampton Homes business planning cycles with those of CWC, including the objectives of the refreshed housing strategy.
6. Review all Service Level Agreements and functions delivered to ensure services are fit for purpose, that adequate monitoring and oversight is in place across CWC which provides assurance to the Council and value for money for residents.
7. Following the implementation of the recommended governance changes, review the effectiveness of the new Management Agreement in strengthening CWC expectations, providing sufficient oversight and whether this has provided the direct line of sight required for Regulatory compliance.

1.0 Purpose

- 1.1 To provide an overview of the Social Housing (Regulation) Act 2023 (the Act) and the impact of its implementation upon the regulatory landscape for the provision of council housing.
- 1.2 To provide an update of the actions taken by City Housing Landlord Services in preparation for the new regulatory requirements for the delivery of council housing.
- 1.3 To present recommendations and options for the future management of council housing in the City of Wolverhampton that ensures compliance with the Act and readiness for inspection by the Regulator of Social Housing, and that meets the Council's priorities as set out in the Council Plan (Our City: Our Plan).

2.0 Background

Management of council housing in the City of Wolverhampton

- 2.1 The City of Wolverhampton Council (CWC) owns approximately 21,600 council homes.
- 2.2 The management of our council housing properties and housing services are delivered to our tenants by our four Managing Agents (MAs), Bushbury Hill Estate Management Board, Dovecotes Tenant Management Organisation, New Park Village Tenant Management Co-operative, and Wolverhampton Homes (WH).
- 2.3 The management functions carried out by the managing agents is governed by the Management Agreements (Modular Management Agreements in the case of the TMOs) that exist between the Council and the managing agents. The current management agreement between the Council and Wolverhampton Homes ends in 2028 with a break clause at April 2023.
- 2.4 The City's MAs are key partners in supporting the Council's priorities as set out in Our City: Our Plan, in delivering Good Homes in well-connected neighbourhoods and supporting Healthy, Inclusive Communities.
- 2.5 WH is the largest MA, managing approximately 19,600 properties on CWC's behalf, with Bushbury EMB managing 950, Dovecotes TMO 754 and New Park Village TMC 290 respectively.
- 2.6 The areas of management covered by the management agreements include tenancy management, estate management, repairs, maintenance and concierge services, lettings and voids, leasehold and other charges, housing advice, right to buy, tenant engagement and asset management. Several other services are delivered by WH on behalf of the Council, under separate service level agreements rather than under the management agreement. This includes:
 - The city-wide anti-social behaviour service
 - Housing Options (homelessness services)

- Housing assistance including the delivery of disabled facilities grants.
- Telecare
- Out of hours service.

Performance Monitoring

- 2.7 As a part of the Management Agreements between CWC and the MAs key performance indicators (KPIs) are agreed and reported on a quarterly basis to Cabinet. This has not occurred since March 2022 largely due to developing a refreshed format of the reports. However, the monitoring of KPIs has continued as part of the oversight by CWC's Client Relationship Managers (CRM), Landlord Services City Housing Team.
- 2.8 The KPIs reported to Cabinet focus on three key areas: (i) Rents Management, (ii) Repairs Management and (iii) Voids and Allocations. This is alongside a wider contract management aspect with a much broader range of KPI's monitored to enable effective oversight.
- 2.9 The Council has further oversight of the performance of its MAs through several means, including but not limited to:
- CRM monthly meetings with TMO Chief Officers
 - Wolverhampton Homes Delivery Plan Quarterly Monitoring Group
 - Asset Management Group (WH)
 - Financial Issues Group (WH)
 - Reporting to Fire Safety Compliance Scrutiny
 - Councillor members of WH Board
 - Monthly performance monitoring meetings
 - A quarterly Managing Agents Forum
 - CRM attendance at board meetings, AGMs etc.
 - Internal audits from the Council's Audit team and governance audits from the City Housing team.

The Social Housing (Regulation) Act 2023 and other relevant legislation

- 2.10 On 14 June 2017, a tragic loss of life occurred when 72 people died as a result of a fire at Grenfell Tower, a high-rise block of flats in North Kensington, London. An extensive inquiry into the tragedy, examined the cause and spread of the fire, the external cladding on the building, inadequate fire safety control and procedures, the regulation of the

construction industry and response of the emergency services, but also focused upon the experiences of the residents of the building and their relationship with their landlord.

- 2.11 Grenfell residents, both prior to and following the incident reported a one-way leadership culture from the landlord that did not welcome, listen to, or fully understand their views and concerns.
- 2.12 The tragedy and public inquiry has a continuing impact upon the housing sector, the Social Housing Green Paper (2018) followed by The Charter for Social Housing Residents: Social Housing White Paper (2020) sought to set out the issues facing social housing tenants and the actions that could be taken so they are safe, protected, listened to and able to influence how their homes are managed.
- 2.13 The White Paper detailed new requirements for social housing landlords, in addition to the strengthening of the Regulator of Social Housing, moving them from a reactive to a proactive consumer regulatory regime.
- 2.14 This culminated on 20 July 2023 when the Social Housing (Regulation) Bill received Royal Assent becoming the Social Housing (Regulation) Act 2023 and giving new powers to the Regulator and the Social Housing Ombudsman.
- 2.15 The powers conferred on the Regulator in moving from a reactive to a proactive regulatory regime, include a new inspection framework for all social housing providers in place from April 2024. There is also:
 - a new suite of Tenant Satisfaction Measures (TSM)
 - Complaint Handling Code
 - Fire Safety Regulations
 - The Building Safety Act
- 2.16 The Housing Ombudsman's Spotlight Report on Damp and Mould in October 2021 and Coroner's Report in November 2022 into the tragic death of two-year old Awaab Ishak, who died following prolonged exposure to mould in his home has resulted in a significant focus and urgency within the sector to respond to reports of damp, mould, and condensation (DMC).
- 2.17 A clause in the Social Housing (Regulation) Act, 'Awaab's Law' will require social landlords to respond to and investigate reports of DMC within specific timescales. In Wolverhampton, DMC is to be included within the 'BIG 7' risks.
- 2.18 The introduction of the Act means that from 1 April 2024, CWC will be subject to four yearly inspections as well as an annual review of newly introduced key performance indicators (KPIs). The Act makes clear that the Regulator will be seeking assurance that where a Council contracts out its housing management service to an ALMO or MA, compliance with the standards remains with the Council.
- 2.19 The TSM standard, a new addition to the consumer standards from 1 April 2023, requires social housing providers to collect data on Tenant Satisfaction Measures (TSMs) from 1

April 2023, with annual publication starting in Summer 2024. There are 22 TSMs in total (attached Appendix 1).

- 2.20 On 25 July 2023, the Regulator issued four new draft consumer standards for consultation which set out the specific expectations and outcomes that all registered providers will be expected to achieve. It is anticipated that the final set of revised standards, in addition to the TSMs will apply from April 2024. The current and proposed consumer standards currently being consulted on are:

<u>Current</u> Consumer Standard	<u>Proposed</u> Consumer Standard <i>(national consultation underway)</i>
Home Standard – sets requirements on the quality of accommodation and repairs and maintenance	The Safety and Quality Standard – requires landlords to provide safe and good quality homes and landlord services to tenants.
Tenant Involvement and Empowerment Standard – sets requirements on customer service and complaints, tenant rights and involvement.	The Transparency, Influence and Accountability Standard – requires landlords to be open with tenants and treat them with fairness and respect so that tenants can access services, raise complaints when necessary, influence decision making and hold their landlord to account.
Neighbourhood and Community Standard – addresses issues around neighbourhood and communal areas and anti-social behaviour	The Neighbourhood and Community Standard – requires landlords to engage with other relevant parties so that tenants can live in safe and well-maintained neighbourhoods and feel safe in their homes.
Tenancy Standard - sets requirements for how properties are allocated/exchanged and terms around tenure.	The Tenancy Standard – sets requirements for the fair allocation and letting of homes and for how those tenancies are managed and ended by landlords.
Tenant Satisfaction Measures (TSMs)	No changes proposed

City Housing will submit a response to the consultation on the proposed new consumer standards. In the meantime, registered providers will need to evidence that they comply with the current consumer standards.

- 2.21 The Housing Ombudsman introduced the Complaint Handling Code for landlords in 2020. The Code was introduced as part of the Ombudsman’s new powers in the revised Housing Ombudsman Scheme. Landlords must undertake an annual self-assessment against the code to ensure their complaint handling remains in line with the requirements. Non-compliance can result in the Ombudsman issuing a Complaint Handling Failure Order.

- 2.22 The Fire Safety (England) Regulations came into force in January 2023, they place an enhanced regulatory regime for all buildings, including a more stringent regime for the design, construction, day-to-day management, and maintenance of higher-risk buildings including high rise.
- 2.23 The Building Safety Act (2022) places significant duties on those who procure, plan, and manage building works, with safety considered at every stage of a building's lifetime and with regulatory powers for action to be taken against those landlords found to be underperforming.

3.0 Progress

- 3.1 To improve and strengthen the Council's understanding of our compliance with the Consumer Standards, City Housing reviewed each of the TMOs' compliance with the consumer standards. This review was carried out between October 2022 and January 2023. The outcomes of this review have been RAG (red, amber, green) risk rated with no areas identified that would constitute high risk for the Council. Some areas for improvement have been identified and action plans put in place which will be regularly monitored, with a follow up review undertaken in 12 months. It should be noted that areas of housing management for the TMOs that relate to health and safety matters and building safety are largely retained responsibilities. This means that the responsibility for these services are retained to the Council and delegated to WH to deliver.
- 3.2 Retained responsibility includes the services required to ensure compliance against the 'BIG 6' risks managed by WH on all council owned stock on CWC's behalf. The 'BIG 6' are:
- Gas safety
 - Fire safety
 - Asbestos safety
 - Water safety (Legionella testing)
 - Lift safety
 - Electrical safety
 - In addition, WH are managing and reporting on DMC as the seventh big risk.
- 3.3 WH routinely achieves excellent compliance against the BIG 6 risks and has also developed a framework and delivery model to respond to concerns regarding DMC.
- 3.4 The independent review conducted by Campbell Tickell also concluded that WH demonstrates a strong track record in delivering compliance against CWC's health and safety responsibilities.
- 3.5 Year to date Key Performance Indicators from July 2023 demonstrate this:

Valid Landlord Gas Safety Records for tenanted properties	99.98%
Management of fire risk assessments; percentage re-inspected within timescale	100%
The Duty to Manage Asbestos – the percentage re-inspected within timescales	100%
Sites where a risk assessment has been carried out for control of Legionella Bacteria in domestic water systems within a two-year period	100%
Passenger lifts and dwellings served with a valid Lift Operations and Lifting Equipment Regulations 1998	100%
Domestic properties with EICR (electrical installation condition report) certificates up to five years old	99.57%
Damp, condensation and /or mould related service requests inspected within target timescale of '10 working days'	93.51

3.6 Circumstances in which health and safety compliance is falling below the expected target are subject to robust mechanisms, including 'no access' procedures to ensure greater compliance. In 'no access' cases, clear internal processes are established to share safeguarding concerns etc with the relevant departments and organisations.

3.7 City Housing commissioned Savills to undertake a separate review of WH and compliance against the Consumer Standards. The review began in February 2021 and concluded in May 2021.

3.8 The review broadly aimed to consider this key question, from the perspective of the regulator:

To what extent can CWC demonstrate that it has assurance that it complies with the RSH Consumer Standards in respect of Council-owned homes which are managed on its behalf by WH?

Savills concluded that:

For most areas CWC/WH has an adequate policy framework in place to ensure compliance against the RSH Consumer Standards, however, there are discrete areas that require material improvement primarily Repairs (part of the Home Standard) and Tenant Involvement and Empowerment.

3.9 In September 2021, a report of the findings was presented to Our Council Scrutiny Panel. Savills review can be found at (Appendix 2). A project group was created by WH and is attended by officers from the ALMO and Landlord Services to establish an action plan to address any improvements that were identified to ensure compliance with the Consumer Standards.

3.10 A further update of progress was presented to Scrutiny Board in March 2022 and in July 2022 the City Housing team requested that the Council's Internal Audit carry out an audit to determine the progress made by WH in implementing the improvements against the

RSH Consumer Standards (Appendix 3), as identified in the Savills review. Internal audit concluded that there was “satisfactory assurance over the adequacy of the controls reviewed as part of the process to mitigate risks to an acceptable level” and that “there is a generally sound system of governance, risk management and control in place. Some issues, non-compliance or scope for improvement were identified which may put at risk the achievement of objectives in the area audited”.

- 3.11 The suite of key performance indicators (KPIs) that are reported to Landlord Services by the Managing Agents has been reviewed and updated to include additional KPIs required by the consumer standards and the new TSMs.
- 3.12 Responsibility for Fire and Building Safety lies with CWC as the ‘Accountable Person’. On 6 June 2023, CWC discharged the operational duties associated with Fire and Building Safety, via WH and its Building Safety Manager (who is supported by the specialist resources that are now in place to deliver these services) and instructed WH to assess the building safety risks relating to the buildings it manages on behalf of CWC, and granted authority for WH to register all in-scope buildings with the Building Safety Regulator, on behalf of the Council.
- 3.13 WH have collected data on the performance against the TSMs throughout 2022-2023. This will provide us with baseline data to monitor service delivery and tenant perception of the services they receive. The collection of TSM data will continue, including tenants managed by WH and the TMOs and to that end a contract has been procured by Landlord Services with an external company to provide that service. The Regulator requires this information to be collected from 2023-2024, published by each landlord annually, and to be reported to them from 2024 onwards.
- 3.14 One area of concern is the Home Standard (or Safety and Quality Standard in the new proposals). This area requires a suitable IT system and necessary functionality to hold the level of detail, data quality and reporting around stock condition and component level information as well as a fully functional asbestos management system and register that provides a “golden thread of Information”.
- 3.15 The Regulator’s current consultation on the new proposed Consumer Standards proposes that providers must have an accurate record of stock condition at an individual property level of all homes and keep this up to date. However, there is no specification on how often this should occur. The Regulator will require evidence that providers have considered and have implemented appropriate risk-based approaches to stock condition surveys which consider a range of factors, age of property, construction, and other stock profile factors.
- 3.16 Working with their systems provider, WH have now installed an upgraded asset management module. A system data cleanse has been carried out with only data meeting clearly defined quality standards being imported into the system. Approximately 8% of the housing stock has either a full (the whole property) or elemental (components in the property – boiler, windows etc) stock condition survey in place that has been

carried out since 2021. An external contractor has been appointed with a programme to achieve 100% of housing stock having a full, individual property stock condition survey carried out by the end of the five-year programme. The programme has been developed with those properties that were the earliest to have decent homes works carried out being prioritised. The programme commenced April 2023 and WH are exploring options that would accelerate the programme. Gap analysis is currently taking place which will enhance the ability to carry out investment scenario modelling. This is currently being “stress tested” with additional systems being utilised in the interim.

- 3.17 The resource implications for large landlords, such as CWC are clear, and WH require the adequate resources to enable them to deliver against the Regulators requirements regarding stock quality.
- 3.18 WH systems for reporting the data around stock condition and asbestos management are being enhanced with an external specialist consultant providing additional third-party assurance of compliance around management systems, data collection strategy and component costing.
- 3.19 The ability to report on and analyse stock condition data enables us to produce accurate investment scenarios and options appraisals to inform our 30-year investment plan and to be able to test affordability. Data quality should be a key element in preparing for regulation across all Consumer Standards
- 3.20 The areas of the Consumer Standards that were identified for improvement concerning governance are predominantly the responsibility of CWC. This has formed part of the independent strategic housing review commissioned by City Housing and carried out by Campbell Tickell.

Summary of findings of the Independent Strategic Housing Review

- 3.21 City Housing commissioned Campbell Tickell (CT) to review CWC’s future Housing Revenue Account (HRA) and the Management Agreement between CWC and WH. CT completed a desktop review to establish the strategic context and operational objectives of the service, its tenant focus and delivery performance, and its current and potential contribution to wider strategic goals of CWC. Views were also sought from a wide range of stakeholders regarding their assessment of the current service model and aspirations for the service moving forward, including Councillors, WH Board members, senior CWC and WH officers, service partners, and WH resident representatives. CT’s review report is attached at Appendix 4. The review occurred between September 2022 and January 2023 and had four areas of focus:
 - **Is the service performing as required:** The service delivered by WH has core underlying strengths and is being digitally enabled. However, focus must be maintained on day-to-day customer service and locality-based delivery, to support the most vulnerable, and to restore high levels of resident satisfaction.

- **Are governance and oversight arrangements effective:** A closer realignment of aims and objectives, refreshed governance, clienting and performance arrangements will ensure the partnership remains effective over the next five years, and able to demonstrate compliance to the Regulator.
- **Does the ALMO model deliver value for tenants:** The ALMO model has an inbuilt layer of overhead, but WH is a relatively lean organisation, and shared service relationships work effectively. Returning the ALMO to Council control in the current environment risks a loss of focus when external risks are high.
- **What role should housing play in the Council:** Housing can play a significant role in delivering the levelling-up objectives of Wolverhampton, in reducing inequality and building equity of outcomes for all. WH can play a pivotal role as a significant resource manager, locality-based service provider, resident and community advocate, employer, and service commissioner, working through partnerships within a whole system approach.

- 3.22 CT found WH to be a focused and effective housing manager, maintaining service delivery standards. Tenants generally trust and value the services provided, and WH benchmarks as a solid performer against its peers. Stakeholders view WH as a safe pair of hands, although day to day focus is needed to restore performance and satisfaction to pre-pandemic levels, and ensure services remain fit for purpose in an increasingly challenging operating environment.
- 3.23 CT understand that housing can play a significant role in delivering the levelling-up objectives of Wolverhampton, in reducing inequality and building equity of outcomes for all. WH can play a pivotal role as a significant resource manager, locality-based service provider, resident and community advocate, employer, and service commissioner, working through partnerships within a whole system approach.
- 3.24 CT's view was that the current Management Agreement is broadly fit for purpose, and with the Partnership Pledge, provides a strong set of partnership principles that place the relationship well beyond a purely transactional or commercial arrangement. However, the Agreement should be strengthened to better reflect CWC expectations and the scope of its oversight role, this needs to dovetail seamlessly with the new Housing Strategy and the Council Plan.
- 3.25 In addition, consideration should be given to creating an overarching Shareholder Board with terms of reference focused on creating a formal governance bridge between CWC, the Cabinet and the WH Board, which would provide a single point of housing strategy, delivery, and performance oversight, whilst working within the existing schemes of delegation. The Board would be chaired by the portfolio holder, with senior executives from CWC and WH, and the Chair of the WH Board, as permanent members, and with senior staff from CWC and WH in attendance as required and would be integrated with existing scrutiny groups and committees, and the other managing agents.

4.0 Options and recommendations for Cabinet to consider:

4.1 Cabinet are asked to consider the detail of this report on the preparations carried out by City Housing in order to meet compliance with the **Social Housing (Regulation) Act 2023** but also where further development of systems, processes and governance structures is required to achieve full compliance, to give assurance to Councillors of compliance and meet the Council's priorities in its Council Plan. City Housing therefore propose that consideration is given to the following options that have been drawn from the conclusions of the review by Campbell Tickell:

4.2 Options

- **Option one** is to make no change to the existing Management Agreement and Service Level Agreements between CWC and WH, resulting in the continuation of the current relationship until the end of the Management Agreement in March 2028. This option does not provide the Council with adequate assurance in meeting the requirements set by the Social Housing (Regulation) Act, Consumer Standards and Fire & Building Safety Regulations. Therefore, we do not recommend this option.
- **Option two** is for CWC to end the Management Agreement with WH. Closing the ALMO would enable closer alignment of service delivery across Wolverhampton and provide direct control for CWC over critical services and programmes such as decarbonisation. It would eliminate the decision making, management layer and operating overheads of the ALMO operating model and create a direct line of sight regarding Regulatory compliance. There are benefits to this option and this should be further considered in the future. A risk in considering this at this stage could detract from our immediate focus of working toward being regulation and inspection ready. Therefore, we do not recommend this option.
- **Option three (recommended)** is to implement the key findings, conclusions, and recommendations of CT's review. With a primary focus on the following:
 1. An overarching Shareholder Board as a focus for housing governance.
 2. Amend the Management Agreement and Partnership Pledge to reflect the Regulatory landscape and strengthen CWC's ability to lead on improvements where necessary.
 3. Strengthen the clienting arrangements with defined roles and responsibilities, accountabilities for demonstrating assurance and re-assurance, and clear reporting structures.
 4. Develop a shared evidence base to demonstrate Regulatory compliance, to support re-assurance testing, a clear line of sight and single view of the truth. CWC lead on creating a Data Process Strategy that ensures data is being recorded consistently across all teams with associated automated Data Quality and reporting.

5. Align WH business planning cycles with those of CWC, including the objectives of the refreshed housing strategy.
6. Review all SLAs and functions delivered to ensure services are fit for purpose, that adequate monitoring and oversight is in place across CWC which provides assurance to the Council and value for money for residents.
7. Following the implementation of the recommended governance changes, review the effectiveness of the new Management Agreement in strengthening CWC expectations, providing sufficient oversight and whether this has provided the direct line of sight required for Regulatory compliance.

4.3 **Reason for decision**

4.4 Option 3 provides improved governance structures, performance monitoring and the ability to develop housing services that will ensure the management of council housing in the City of Wolverhampton remains fit for purpose, offers value for money for the tenants and continues to meet the Council's key priorities whilst meeting regulatory requirements.

4.5 As the expectations of the Social Housing (Regulation) Act and the Regulator of Social Housing become clearer, we need to continue to consider whether the ALMO remains the best operational model for our housing services to gain full assurance against Consumer Standards and the regulatory regime and to deliver the best services to the tenants of City of Wolverhampton Council.

4.6 We further recommend that we report back to Scrutiny and Cabinet within 12 months on progress against the recommendations detailed in Option 3, and whether these changes provide the necessary assurance against regulatory compliance and the expectations of Social Housing (Regulation) Act and the Regulator of Social Housing.

4.7 **Cabinet is asked to note:**

The report was presented to Scrutiny Board on 26 September 2023. The Board agreed with the recommendation made in the report in support of Option 3. Cabinet is recommended to:

Respond to the recommendation made by Scrutiny Board on 26 September 2023 to consider whether it is good governance for the Chair of Wolverhampton Homes Board and the potential new Shareholders Board to both be from the controlling group.

The advice from the Council's Monitoring Officer is that there is no restriction either legally or in guidance that prevents the Chair of the Wolverhampton Homes Board and/or the chair of the Shareholder's Board both being from the controlling group – the key is to ensure that there is careful consideration of the operation of Wolverhampton Homes, both through those mechanisms and also the Scrutiny Process. It is important to note

that the proposed approach is entirely in line with the Council's adopted Code of Practice – Governance of Council interests in companies.

5.0 Financial implications Social Housing (Regulation) Act and the Regulator of Social Housing

- 5.1 Housing Management services are funded through existing Housing Revenue Account budgets as approved by Council as part of the January 2023 report HRA Business Plan 2023-2024 including rents and service charges. Wolverhampton Homes receive a management fee to deliver the services in the Management Agreement; £45 million in 2023-2024.
- 5.2 There are no direct financial implications from this report, or from Option 1 and 3, to make no changes or review and amend the current arrangements as set above in section 4.
- 5.3 Any one off and recurrent costs incurred because of refreshing the relationships would be funded from existing HRA management budgets which could include an adjustment to the WH management fee.
- 5.4 There would be significant financial implications from **Option 2** – to end the Management Agreement. CT estimate a one-off cost of £1.5 million which would be chargeable to the HRA, However, reducing overhead costs could provide additional resources for front line services going forward.
- 5.5 There would also be potential efficiencies to both the HRA and the general fund by combining the ALMO corporate functions [Customer services, Customer experience, Communications, Human Resources, Skills development, and Performance] with the existing council services.
[JM/18/0823/W]

6.0 Legal implications

- 6.1 The Management Agreement is the contractual arrangement between the Council and Wolverhampton Homes.
- 6.2 The Service Level Agreements between the Council and Wolverhampton Homes have no legal basis.
- 6.3 The Regulator of Social Housing regulates registered providers of social housing to promote a viable, efficient, and well governed social housing sector that can deliver homes that require a range of needs.
- 6.4 Failure to comply with the Regulator of Social Housing's Consumer Standards, may lead to the Regulator taking intervention and enforcement action including penalties against the Council should it fail to meet the regulatory standards.

- 6.5 The Council must ensure that proper policies and procedures (including internal and external assurances) are in place to ensure that itself, Wolverhampton Homes and the Tenant Management Organisations are compliant with the Regulator's standards.
- 6.6 The Council must ensure that a full audit trail is in place that sufficiently demonstrates the Council's, Wolverhampton Homes and the Tenant Management Organisations commitment and compliance with the Regulator's standard.
- 6.7 Where the Council is handling and processing personal data it must ensure that the Council, Wolverhampton Homes and the Tenant Management Organisations are compliant with the Data Protection Act 2018 and implementation of the General Data Protection Regulation 2018.
[CS/09082023/1]

7.0 Equalities implications

- 7.1 The report has no direct equalities implications. However, CWC have contracted TPAS, (Tenant Participation Advisory Service) to work with our MAs, in developing tenant scrutiny models which encourage meaningful engagement and an opportunity to have oversight of housing management and influencing and shaping service delivery. The Housing Tenant Scrutiny and Engagement approach will be rolled out from April 2023, independent of the Council and its MAs it will deliver meaningful consultation and scrutiny of housing services and promote tenant led regulation. TPAS are required to ensure the tenant scrutiny service is representative of all tenants and adjustments are made in service delivery to ensure the service is accessible to all.
- 7.2 All the Council's MAs are required to consider equality of access to their services and have policies in place, which reflect and complement statutory responsibilities and the effective delivery of housing services.
- 7.3 The housing service actively engages with the Equality, Diversity and Inclusion team and has an up-to-date equality action plan to promote continuous improvements are made to services and access to those services. Key issues, such as the Council's Housing Allocations Policy and Local Lettings Plans are subject to Cabinet approval and Scrutiny. Areas where poor performance is identified are escalated, reported and action plans developed and monitored to ensure improvement.

8.0 All other implications

- 8.1 There are no direct health and wellbeing implications for the report, however, the Council's Housing Strategy team and MAs account for and work to improve the health and wellbeing of the tenants whose homes they manage, as part of the delivery of housing management services and their interactions with the Council services and other statutory organisations with whom they may work in partnership, make referrals to and signpost tenants to.

9.0 Schedule of background papers

- 9.1 Government Policy Paper: [The charter for social housing residents: social housing white paper](#)
- 9.2 Cabinet - 20 July 2017 [Housing Services Review](#)
- 9.3 Council - 28 March 2018, [Wolverhampton Homes Delivery Plan 2018 – 2019](#)
- 9.4 [Regulator of Social Housing Consumer Standards – Compliance Update](#) (Scrutiny Board 22 March 2022)

10.0 Appendices

- 10.1 Appendix 1 - Tenant Satisfaction Measures
- 10.2 Appendix 2 - Savills CWC Consumer Standards Review Report
- 10.3 Appendix 3 - Internal Audit Report, Update Report Recommendations from Savills Review
- 10.4 Appendix 4 - Campbell Tickell – Strategic Housing Review – Final Report – January 2023