

SCRUTINY REVIEW: THE ACCOUNTABILITY OF SOCIAL HOUSING PROVIDERS TO THE COUNCIL AND RESIDENTS OF STOCKPORT

Report of the Director of Place Management

1. Purpose of report

- 1.1 This report follows the initial report to the scrutiny review on 21 September 2023, and the additional information provided to the review regarding the different types/models of registered social provider organisations. This report considers the condition of the social housing stock, the routes by which residents of social housing can seek help in addressing problems, and details on how providers respond to issues raised by residents.

2. Background

- 2.1 Although all RPs (including the Council through SHG) have Asset Management Plans in place to consider when elements (boilers, kitchens, bathrooms, roofs, doors, windows etc) of a building should be replaced/receive significant repair/renovation, it is inevitable that problems may occur and require rectification before the element reaches the end of its expected life and requires replacement. As a direct result of the funding lost through the four year government imposed 1% pa rent reduction, plus the more recent high levels of building/maintenance costs (circa 18% pa), the vast majority of providers are now facing real financial challenges and as a result are 'stretching' the replacement periods for capital works where it is feasible to do so. Increased awareness through the media of housing conditions in the social sector, particularly in relation to damp following the tragic death of Awaab Ishak, has also encouraged tenants, rightly, to report problems. This in turn means that there will be more incidents of elements requiring repair/rectification, before the particular element is replaced, and tenants are more willing to report problems (as they should).
- 2.2 Understanding the condition of the housing stock, how tenants are able to seek help and how well providers respond are important factors in determining the accountability of social housing providers, in particular, to the residents they accommodate.

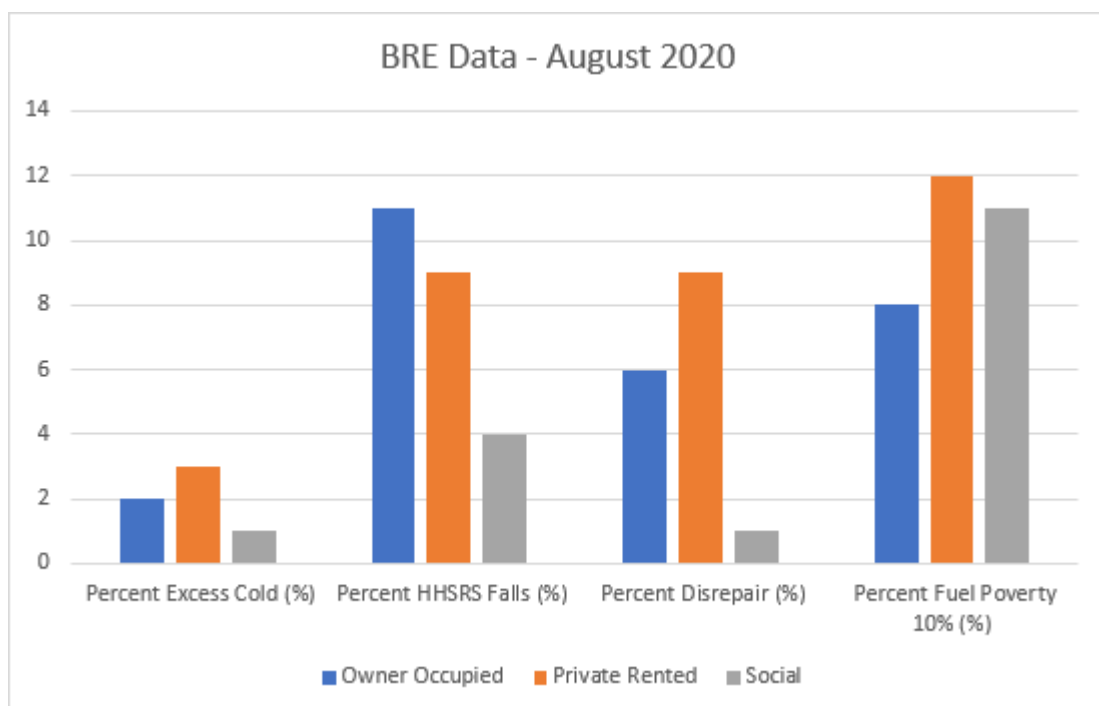
3. Condition of the Housing Stock

- 3.1 Local Authorities have a duty to understand the housing stock (all tenures) in their area. For many years, most councils fulfilled this duty by commissioning surveys of representative samples of housing and then modelling the findings to provide information on a borough wide basis. Most of these surveys were carried out through a system established by the Building Research Establishment, based on the national English Housing Survey (formerly the English House Condition Survey). This national (EHS) system has operated since 1967, and currently involves some 8000 properties being surveyed each year in England, with each survey collecting circa 760 data points.

3.2 Stockport took part in two national pilots (2004/5 and 2009/10) which enabled the BRE to develop a stock modelling system that could accurately assess property condition using the EHS data, linked to a number of other data sources, and without the need and expense for LAs to commission and carry out individual property surveys. Stockport, along with many other LAs, then utilised the BRE stock modelling system to meet its statutory obligation until 2020, after which the GMCA commissioned similar research (again utilising the national EHS data sets) on behalf of all ten Greater Manchester councils.

3.3 The GM commissioned information, whilst meeting the statutory obligations, does not contain the level of detail of the BRE system, and therefore for the purposes of this report the information provided below has been taken directly from the BRE assessments in 2020. It should be noted that as the information below has come directly from EHS surveys, it is not reliant on RPs providing their own data/assessments of property condition, and that Government guidance recognises that such local house condition surveys are valid for 5 years.

3.4 The graph below provides tenure comparisons for the 'Housing Health & Safety Rating System' assessments of 'Excess Cold' and 'Falls' (HHSRS is the first test of 'Decent Homes' and the key assessment used by LA Housing Enforcement Officers), the levels of disrepair and percentage of residents in fuel poverty. It should be noted that the high levels of fuel poverty in the social housing is directly related to the relative poverty of social housing residents (circa 70% on benefits) rather than fuel inefficiency (see 3.5). The graph shows levels of disrepair and serious hazards are far lower in social housing compared to both private rented and owner occupied housing.



3.5 The tables below show the relationship between the SAP rating and the more familiar energy rating band. SAP, or 'Standard Assessment Procedure' was developed by the BRE and is used widely to assess the energy efficiency/cost to heat a property, and is required for all housing offered for sale or rent. The

higher the SAP rating the more energy efficient/cheaper to heat the property, although it should be noted that the score is not assessed on a linear basis. The second table shows that the social housing in Stockport is significantly higher scoring than either the private rented or owner occupied sectors. The SAP assessments below come from the EHS property surveys.

Energy Rating Band							
Energy Rating Band	A	B	C	D	E	F	G
SAP Rating	100-120	85-99	70-84	55-69	40-54	25-39	0-24
	Average SAP Score						
All Stock	60.0						
Owner Occupier	59.1						
Private Rented	61.2						
Social Rented	64.1						

4.0 Neighbourhood Management

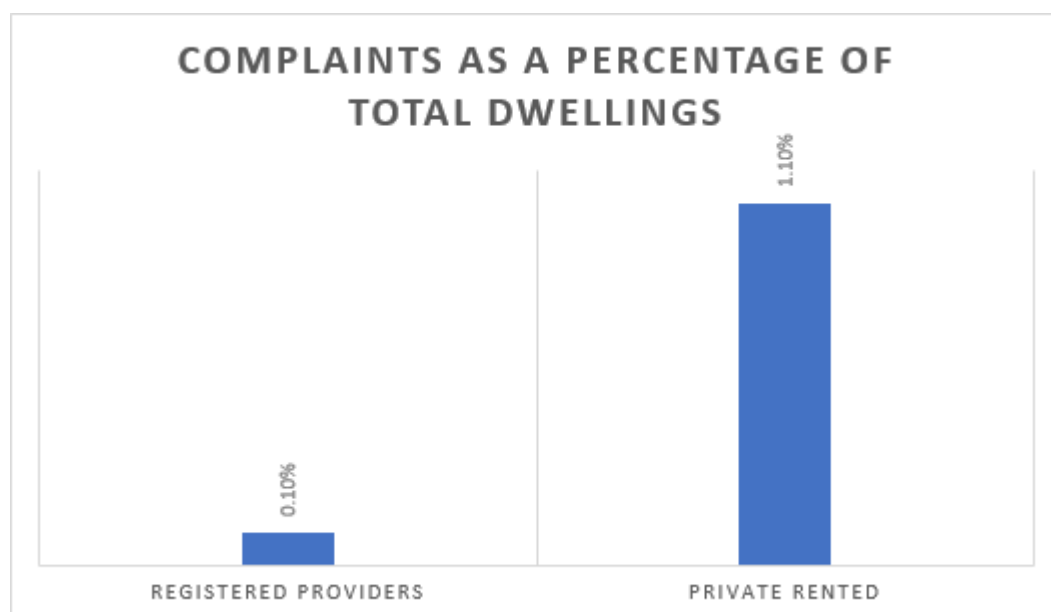
- 4.1 As previously outlined, each of the main Partner housing associations own circa 1000 properties within the borough, with, in most cases, these being widely dispersed and only a few small areas where ownership is more than 200 units. SHG manage circa 12000 properties, which includes a number of large estates.
- 4.2 As social housing providers, both the Partner housing associations and SHG have a significant role to play in addressing neighbourhood management and local ASB issues. Although with such small levels of local property ownership this is challenging for the Partner housing associations, they are fully linked into and actively support the wider Stockport partnership to help address and resolve issues. This approach is reinforced through the Housing Partnership meetings, and on a case by case basis can be addressed where necessary through the senior contacts within each association.
- 4.3 In recognition of the benefits of having both security/ CCTV services and ASB services located within a single organisation, in recent years the two CCTV services provided by SHG and TLC have been brought together within SHG, and the ASB/community safety investigations that were within the Council (addressing issues outside of HRA properties) and SHG have been brought together again within SHG.

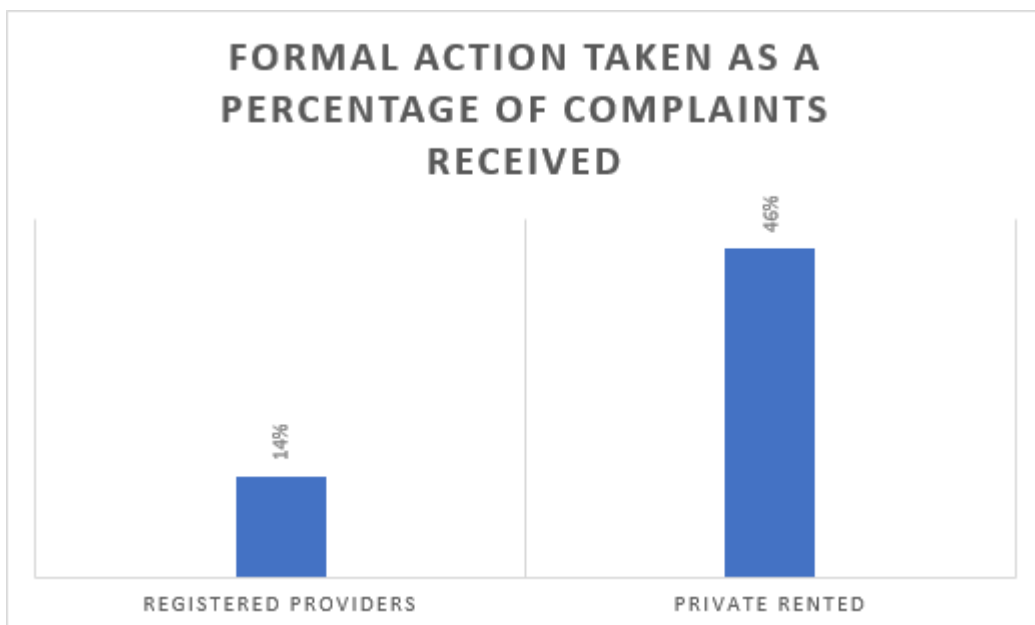
5.0 Resolution of Repairs/Problems

- 5.1 All tenants, both private and social, should always approach their landlord in the first instance to resolve problems with the property. There is a great deal of evidence to suggest that many tenants in the private sector do not report problems, as they are fearful of being evicted through the section 21 Housing Act 1988 'no fault' eviction provisions, and are even more fearful of reporting

problems to LAs, choosing to either resolve the problems themselves or live with the consequences.

- 5.2 Following the initial introductory tenancy period (usually 6 months), tenants in social housing are not subject to section 21 and are therefore able to report problems openly without fear of future eviction.
- 5.3 If landlords do not respond, private tenants can take private action (although as this is costly it is very rare) but more normally are able to approach the LA for potential enforcement action. For those in the social sector, tenants can escalate through the RPs internal complaints process and then complain directly to the independent housing ombudsman (<https://www.housing-ombudsman.org.uk/>). Tenants of housing associations can also complain to the LA for potential enforcement action, in exactly the same way as private tenants. This route is not available to council tenants as council enforcement officers cannot serve notice against their own authority.
- 5.4 In Stockport, Housing Standards Officers approach complaints from both housing association and private tenants in exactly the same way, that is question whether the tenant has first approached their landlord, and if they have officers will then investigate and they will approach the landlord, as required. If landlords do not respond, and subject to the legislative requirements, housing standards officers will then consider taking formal action. For Partner Housing Associations, there is also a secondary route through the senior contacts that can be approached directly to ensure the problem is investigated and resolved quickly.
- 5.5 The analysis below has looked at the complaints received by the Council's Housing Standards Team during the financial year 2022/23, and how reported problems were resolved.





- 5.6 The formal action reported above related to a single Partner RP property and involved the service of a notice. Contact was made with a senior representative at the same time as this notice was served and the RP stepped in immediately to fully investigate and resolve the problem.
- 5.7 Contact was made with all ten GMLAs and all members of the national Private Housing Officers Group (circa 30 Councils) in an attempt to obtain results that could be compared to Stockport. Unfortunately, as a result of the different approaches and ways that councils collect and record data it was challenging to obtain comparable results. Using returns provided direct from some councils, alongside data from the 2021 census, government data sets (from Local Authority annual data returns) and a Greater Manchester Law Centre report published in 2023 on local authority action based on a 'Freedom of Information' request, the following results were obtained:

LA	PRS complaints (%)	RP (non council) complaints (%)	PRS formal action (as % of complaints)	RP formal action(as % of complaints)
Coventry	1.3	0.4	23.5	6.2
Bolton	2.5	0.3	7.7	2.9
Rochdale	3.1	0.26	6.5	0
Stockport	1.1	0.1	46	14
Tameside	1.37	0.54	0.4	0
Wigan	0.56	1.23	2.34	0

- 5.8 With such a small number of councils, the challenges of obtaining comparable data, and differences in both the housing markets/tenure splits and local authority approaches it is difficult to draw meaningful conclusions, however, it is noticeable that Stockport receives significantly lower levels of complaints

from RP tenants, and with a strong enforcement approach takes formal action against more private landlords. As already referenced in 5.6, the action against RPs in Stockport was in respect of a single property: a situation that is similar in other council areas.

6.0 Conclusions

- 6.1 The independent assessments set out in section 3 above clearly show that the general condition and energy efficiency/cost to heat is far better in social housing than in either the private rented or owner occupied sectors.
- 6.2 The analysis in section 5 also shows that proportionately far less social tenants of housing associations complain to the Council's Housing Standards team, and that where complaints are received, these are resolved far more quickly/easily, than in the private sector.
- 6.3 Very few LAs have Partnership arrangements with selected housing associations, and officers have been unable to find any comparable with Stockport, with such a strong partnership with partners owning such a large proportion of RP stock. The report from the 21 September set out the main advantages of the Partnership and this report has highlighted the strength of the Partnership in ensuring matters are resolved quickly. Members may therefore want to consider whether Stockport should continue with the Partnership.
- 6.4 Having regard to the fact that Council tenants cannot complain and seek resolution through the Council's Housing Standards team, Members may also want to consider whether more work should be carried out to fully understand how SHG investigates and resolves reported problems/repairs and complaints on behalf of the Council.
- 6.5 Whilst both CCTV and ASB services have both been brought together within single teams in SHG as outlined above, and the Partner housing associations are linked into and support the neighbourhood work, Members may want to consider how these services are now operating, including links with housing providers.
- 6.6 Although as previously outlined, the Council does operate a 'Members' committee to oversee the work of Stockport Homes, it should be noted that the Members committee focuses on work undertaken directly by SHG, which can include how SHG supports wider council objectives, but does not consider those objectives or council policy directly. SHG are also required to produce a Delivery Plan, setting out how SHG will deliver services to support the council's objectives, which is considered by scrutiny committee.
- 6.7 The scrutiny review panel have considered where strategic investment decisions regarding council owned properties are made and may want to consider recommendations for increasing oversight.

7.0 Recommendations

7.1 The Scrutiny Review Panel is requested to:

- (a) consider and note the report;
- (b) consider whether further investigation/information should be requested, and
- (c) consider recommendations that could arise from the review.

Anyone requiring further information should contact:

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