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**Meeting:** Social Care, Health and Housing Overview and Scrutiny Committee  
**Date:** 8 April 2010  
**Subject:** Tenant Services Authority  
**Report of:** Director of Social Care, Health and Housing  
**Summary:** The report and presentation provides Members with an initial briefing on the new Tenant Services Authority (TSA), which became responsible for regulating local authority housing services as from 1<sup>st</sup> April 2010. It also provides a position statement on where Central Bedfordshire is in terms of measuring up against a new set of standards, and its preparations for the new regulatory requirements.

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**Contact Officer:** Carol Rooker, Head of Housing Management  
**Public/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Council

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## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

None identified as a result of this report.

### **Financial:**

None directly, although the TSA will ultimately consult on its proposed charging mechanisms. Any work arising from the TSA standards will be resourced from the Housing Revenue Account (HRA) - Tenant Participation Budget.

### **Legal:**

The Housing and Regeneration Act 2008 established the TSA as the new cross domain regulator for social housing. The TSA became responsible for local authority housing on 1<sup>st</sup> April 2010.

### **Risk Management:**

There is a reputational risk to the Council if we do not prepare and respond to the new regulations and requirements on all housing authorities. The TSA's approach to regulation is risk based. They will take advice and instructions from the Audit Commission and will utilise performance information to assess whether they need to investigate the housing services further.

### **Staffing (including Trades Unions):**

None identified as result of this report.

**Equalities/Human Rights:**

None identified as a result of this report.

**Community Safety:**

None identified as a result of this report.

**Sustainability:**

None identified as a result of this report.

**RECOMMENDATIONS:**

- 1. That the Social Care, Health and Housing Overview and Scrutiny Committee note the new role and requirements of the Tenant Services Authority.**
- 2. That the Committee, receive further reports on the proposed scrutiny function of tenants and Members, and the content of the first annual report to tenants and the TSA.**

**Tenant Services Authority**

1. The TSA is the new regulator for all social housing, with the emphasis very firmly on the quality of the service that tenants receive. As of 1<sup>st</sup> April, for the first time, every social housing tenant in England, benefits from a common set of standards that will apply to all providers whether they are a local authority, a housing association, or other form of provider.
2. The regulatory framework has been shaped in collaboration with tenants, local authorities, housing association and many other partners. The framework establishes a set of standards to help improve the services provided for up to eight million people who live in social rented and shared ownership homes in England. In addition, the Government set a specific direction to the TSA on its expectations in terms of rents, quality of accommodation and tenant involvement.

**The Six National Standards**

3. The six national standards, (as outlined in the presentation- see Appendix A) describe the outcomes that the TSA wish to see achieved and some specific expectations on providers. Many of these standards are already being achieved within Central Bedfordshire, but it is made clear that regulation is there to support lasting service delivery improvements, where both providers and tenants have a sense of ownership in the regulatory framework.

4. The largest challenge on Central Bedfordshire is in terms of the additional requirements of making tenants at the heart of service delivery, policy formulation, scrutiny of performance and being the driver of local service improvements. The primary focus for discussions on service delivery and improvement should be between providers and their tenants, rather than between the regulator and the provider. ( this is probably in response to criticism from Housing Associations that the former Housing Corporation published and required codes of practice to follow)
5. For local authorities and Central Bedfordshire, this could be a factor leading to tension. Local Authorities governance arrangements are different to Housing Associations, as there is a political mandate of Members. If tenants do not support a particular policy direction which Members wish to take, inevitably, there could be some difficulties in managing expectations. It is therefore important that tenants are given the right tools, information and training to be empowered to help shape services from the outset. It is only through increasing their capacity, understanding and trust can an effective working relationship continue and thrive. At present, we do appear to enjoy the trust and support of tenants.

### **Current Position**

6. As part of the organisational plan, the Housing Service is being comprehensively reviewed later in the year. Two separate reviews will focus on both the Strategic Housing Service and that of the Landlord Service. These reviews will determine the future arrangements for delivery of Landlord Services, which must meet the aspirations of tenants, to ensure that they have high quality homes to live in, within successful neighbourhoods.
7. The work that is underway in terms of preparing for this new regulatory framework, where tenants are an influential partner in setting and monitoring standards of service delivery will be a key part of the judgements that the external reviewers make about the quality of the housing services delivered to tenants.
8. An action plan (See appendix B) has been drafted to respond to the new requirements, and this action plan has been tailored to cover both these new requirements and our preparations for the reviews of housing services.
9. Although there is already a strong track record of tenant engagement with the housing service, more work is necessary to involve tenants in monitoring performance and service overview. This role is one that the TSA sees as an essential aspect of the new Co-regulatory framework.
10. This performance and service review role of tenants will also be an important aspect in helping to shape the future arrangements of delivery of the Landlord Service. This role is complimentary to the role the TSA expects of Members (and Boards in Housing Associations) in terms of scrutinising or overseeing, the quality of service and performance levels of the housing service. The TSA expects Members as well as tenants, to be responsible for ensuring that tenants receive the best possible service from the council, and that this service continues to improve.

11. Over the coming months, in consultation with tenants, we will devise a structure that is appropriate for Central Bedfordshire, whereby both tenants and Members meet the new TSA's regulatory requirements. This structure will be reported back to this committee for consideration before reference to Executive for agreement.
12. We have already launched a consultation on a series of service standards. Once agreed with tenants, we will set up a performance management framework to monitor and report on them. The results of this, together with our self assessment for the reviews, will inform our annual report to tenants. Any gaps or weaknesses in our standards will be addressed as part of our action and improvement plans. The reviews will also be a valuable piece of evidence of our commitment to self improvement, through having external validation of our services. (the co-regulatory framework)

### **Conclusion and Next Steps**

13. Training on the TSA is already underway for both staff and tenants on the new requirements, and we intend to consult with the Way Forward group on their preferred way to progress the adoption and monitoring of our draft service standards.
14. Our preparations for inspection are underway, and wherever possible, we are measuring our services against both the new Service Standards and the Audit Commissions Key Lines of Enquiry. (KLOEs).

This work will be a key aspect of the Reviews, as our capacity to prepare for, and deliver the new regulatory framework will form part of the assessments made about the quality of our services.

15. We then need to set up the scrutiny function, for both tenants and members and agree the format of the annual report, which is two fold. One return for the TSA and another for tenants. This annual report will be reported to this committee over the course of the summer, and Executive will be asked to approve its final content.
16. The results of this report will help to inform the view of the TSA on how good the housing service is in Central Bedfordshire. They will then take a risk based approach to whether we enjoy the wide support of our tenants on the quality, standard and responsiveness of our services to over 5000 tenants and over 1000 housing applicants.

### **Appendices:**

- Appendix A – (Presentation)
- Appendix B – (Action Plan)

### **Background Papers:** (open to public inspection)

The regulatory framework for social housing in England from April 2010

**Location of papers:** Priory House, Chicksands