**Tenant & Leaseholder Scrutiny Group**

**Saturday 21 September 2024, 9:00am-1.30pm**

**Sandwell Council House**

**Chair – Phillippe Brown**

**Draft Minutes**

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| **Circulation:**  **Scrutiny Members** |  |  |
| Ahmed Abdulrahman  Aynols Reid  Shenalee Brown  **Sandwell MBC** | Alison Allen  Delroy Thomas  Stembile Mhlanga | Anthony Averis  Phillippe Brown  Sue Smith |
| Nigel Collumbell  Christine Davis | Sarah Ager  Yvonne Willetts |  |
| **Apologies:**  Cllr Lewis  Cllr Dhatt | Manny Sehmbi |  |

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| **Items for Discussion** | | |
| 1. | **Introduction to Formal Meeting**  Chair welcomed everyone to the meeting. Formal introductions were made.  Apologies as above  There were no declarations of interest  The minutes from meeting 22 June 2024 had previously been circulated. Two amendments were requested, relating to the names of attendees. The minutes were agreed.  The Action Log was reviewed - completed actions were closed and the log updated.  Cost of Out of Hours Service  Item 2.3 – 17 June 2023:  Officers asked for clarification around what information was required by the group as the matter had previously been discussed. Chair stated that the group would like to know the cost of additional appointments and the costs of out of hours repairs.  Response: there are changes taking place in Repairs team to improve productivity. The current service needs to be right, and progress is being made, additional hours may be considered at a later date.  There is a working group looking at service standards which will involve tenant engagement. This could become part of the service delivery programme.  Sarah will work with Chris Davis to timetable meetings.  The action is to be taken off the Action Log and put on the tracker for monitoring and updates.  Chair ran through the agenda. | Chair |
| 2. | **Status Update on Stock Condition Survey**  Rapleys were engaged and began completing surveys in December 2023. The programme is not progressing as planned – 2500 surveys have been completed. A second contractor (Ridge and Partners) was mobilised and are due to start work week commencing 23 September. The plan is for 50% of the stock to be surveyed by December 2025. Assumptions will be made regarding the other 50% and the survey will be fully completed by 2026.  Properties will need to meet the required standards around decency and thermal efficiencies. Remedial work will not be done immediately, apart from emergency cases, and residents will not be able to request surveys.  Rapleys and Ridge will complete surveys, and the data will be analysed in-house. Contractors are not paid until data is received. An exercise is taking place to recruit someone to look at available data to understand investment requirements.  Going forward stock condition surveys will be built into the budget and will be done on a rolling programme. The current budget for stock condition surveys is £2.5m.  Work is being done around access and communications to residents. Details will be put in the Herald and will be available online.  No access issues have been reported. Officers are required to clearly identify that they work for the council. Contractors are also representatives of Sandwell Council and must act accordingly.  A letter will be sent from the council introducing Ridge to improve success rate and avoid confusion.  A member of the group reported that a survey had been conducted at their property. The process took five minutes and involved questions, but no inspection was done.  Response: Checks will be done regarding the quality of checks. Surveys should be around 60 minutes and photographic evidence taken.  The letter from Rapleys gives conflicting information around how long the stock condition survey will take, 30 or 60 minutes.  Chris Davis to contact the project manager to clarify.  Compliance  Compliance is a regulatory requirement, and the council needs to have a plan in place.  There is regular engagement with the regulators.  Cabinet and Leadership Team have a better understanding of the compliance requirements and the implications. |  |
| 3. | **Inspection Preparation – Update on Self-Assessment**  There have been changes to regulations following the disasters at Grenfell Tower and the death of a child due to the presence of damp and mould in the home.  New Consumer Standards have been effective since 1st April 2024  The regulations outline what the council needs to do to demonstrate that it is a good landlord   * listen to and have effective communication with tenants * have good quality information about the condition of their homes * provide responsive and accessible services   The regulators will not tell us how to achieve the standards, that is our responsibility, but they will intervene if we are non-compliant, the previous “serious detriment” threshold has been removed. Responsibility for the delivery of outcomes sits with elected members. Senior leaders and members have been made aware and will be regularly briefed.  Elected members need to ensure that tenant views have been considered.  They and senior leaders were given a presentation of the results of the Tenant Satisfaction Measures (TSM) perception survey.  Chris will re-circulate details of the TSM survey with the national coding key to the TLSG.  Inspections  Inspections will be done on a 4-year rolling programme and councils will be given six weeks’ notice. In addition, there may be reactive inspections in response to an issue or a potential issue.  Some regulatory judgements have already been issued either based on inspections or following self-assessment.  Gradings   * **C1** Landlord is delivering the outcomes of the consumer standards and has demonstrated it identifies issues when they occur and puts plans in place to remedy and minimise recurrence. * **C2** Some weaknesses in delivering the consumer standard and improvement is needed. * **C3** Serious failings and significant improvement needed. * **C4** Very serious failings and fundamental changes required to improve outcomes   Preparation will involve   * Strong Tenant Engagement Framework * Focus on Building Safety Compliance   Issues have been highlighted and focus given to the problem areas   * Pro-active Engagement with the regulator (including self-referral and updates) * Housing Transformation Project underway   The compliance system to be in place by December. Other Housing systems are to be procured.   * Compliance Health Check – Pennington Choices   There has been significant progress with compliance.   * ASB Health Check – Chris Grose Consultancy * Consumer Standard Self-Assessment with external review planned * LGA briefings with LA’s already inspected   There is a plan to visit authorities that have already been inspected to help to develop an approach and preparation.   * Learning from colleagues in Adult Social Care & Children’s Trust   Engagement with Regulators  SMBC have had proactive engagement with the regulators since 2022. Following self-referral and the TSM results, the focus has been on compliance with Safety and Quality Standard. The Decent homes requirement is not met, and the stock condition surveys will give a more accurate picture.    Asbestos has now been flagged as an issue and desk top assessments have been done. Inspections were previously carried out every 12 months, but the format has now changed. Properties will be rechecked, and all data will be amalgamated and put into the new system. If asbestos is found it will be recorded and removed if necessary. It is only dangerous if disturbed.  The new Housing systems will also produce more accurate data around electrical compliance and asbestos management.  The regulators are happy with the results and the narrative.  Competency  Issues have been highlighted, and work is ongoing around competency, culture, and behaviour. The Learning & Development team are supporting to ensure that officers have access to the correct qualifications. All senior managers are required to be at Level 4 and will have two years to work towards the qualification if current proposals are introduced by the Regulator for Social Housing. Funding for training will be considered once the number of people affected is known. Attaining the qualification would not lead to wage increase as it would be considered part of the professional development within the role.  Guidance around whether contractors are required to have the qualifications is vague and this has been fedback to the regulators. If contractors are required to have the relevant qualification it may impact their costs.  There may be opportunities for members of the TLSG to attend some training sessions to ensure that they are up to speed.  Housing Ombudsman  The Housing Ombudsman now has increased powers. There is a new definition of a complaint, and all complaints will be recorded so numbers may increase. Repairs has the highest number of complaints.  Tom Hogan is working on making improvements with Housing Resolution Team.  There are two elected members responsible for complaints and the customer journey. (Cllr Smith and Cllr Moore)  Awaab's Law  Awaab's Law was introduced by the Social Housing Regulation Act and relates to damp and mould which is a Cat 1 hazard. Social Landlords must investigate and fix reported health hazards within specified timescales and send a summary report of findings to tenant.  Damp and mould are proactively monitored, and all Cat 1 hazards are included in the register.  Building Safety Regulator  Building Safety Act 2022 (BSA22) places significant emphasis on the competency of landlords and makes them directly accountable for the safety of residents. A restructure is underway to ensure that accountable people are in place – this exercise is to be completed by Christmas. SMBC is responsible for fifty-two high risk residential blocks of flats. There will be five Building Safety Managers, responsible for 10 blocks each, with complete knowledge around building safety. They will report to the Head of Building Safety and Compliance.  All relevant buildings are required to be safe to occupy from fire and structural defects and residents now have a greater say in how their homes are managed all under a new Building Safety Regulator.  Fire Risk assessments have been carried out. Policies and procedures are being developed, and existing processes are being reviewed.  There has been no significant learning from the Lewisham fire.  Ferntech have inspected cladding around blocks and have prepared a report. Technical ability is needed within the team to analyse data for future work and investment.  Chair requested an overview of cladding inspections to be brought to the next meeting.  Next Steps  A compliance awareness session is planned for Leadership Team and Cabinet members.  Action: The group requested a copy of the Leadership team structure chart.  Pennington Choices are engaged as a critical friend and have supported with compliance. They have helped with the creation of building safety cases for each block. The regulator can request these at any time.  A third party will be engaged to review the self-assessment and to conduct a mock inspection.  Tom Hogan is drafting a narrative around inspection that can be presented when required. TLSG to have sight of this at the next meeting.  A workshop is planned for all members to update on all changes and wider leadership will be made aware too to ensure a One Council response.  A communication Plan is to be drawn up and will include the Annual Tenants Report.  The group asked what effect the building safety work would have on HRA.  A Star Chamber meeting was held to look at HRA. The meeting included the Chief Executive, the Executive Director of Place and the Finance Section 151 officer and they looked at HRA matters   * Tenant engagement resource * Complaints resource * Best use of stock * Building safety   Restructures will ensure best use of resources.  There will be investment in stock condition surveys which will help to improve services and provide data for a long-term planning and forecast for the future.  Efficiencies were identified – for example amalgamating contracts.  There will be significant expenditure in the next two years, but this will help to embed efficiencies going forward.  Some HRA spend is delivered by other services areas. These will be looked at to ensure that they are delivering efficiencies too. HRA rules are specific, spending must be used for the benefit of tenants.  TLSG may wish to include scrutiny of these services in their future plans.  The group raised the point that the council is always reactive and not proactive enough in its approach.  Response: The council needs to use both approaches. Resolving customer complaints and queries but using the data from customer contact to give insight around how to move forward. Once a complaint or query is resolved the information can be used to make sure that the same problem does not keep reoccurring.  There are also proactive partnerships with other organisations, including NHS, looking at the effect of housing conditions on health issues. Data may be used to identify areas that may be at risk of certain health issues which could help with targeting useful information. |  |
| 4 | **Housemark Pulse Reports**  Housemark is a national benchmarking company. They are sent data by landlords and produce a pulse report for comparison with others. They also prepare a bespoke report comparing SMBC with peer landlords i.e. big metropolitan areas with large stock.  The report was shared with the group and the group were asked whether they would like to see this data going forward.  TLSG agreed that this would be useful.  Chair encouraged the group to read the benchmarking data and put forward any questions. |  |
| 5 | **Tenant Engagement Framework**  The Tenants Audit Group (TAG) are conducting an audit around Anti-Social Behaviour (ASB) and have started to analyse the data. They will do online mystery shopping curtesy of SCIPS.  The complaints report, prepared by Housing, will be shared with TAG this week and actions agreed. Information will also be shared with TLSG in due course.  There are vacancies within TAG and recruitment will be taking place.  It was agreed that going forward there will not be a formal Building Safety Group. Instead, a forum will be set up with planned dates and residents will be invited to attend if they wish. The first meeting is planned for November.  Discussions are taking place around developing block champions.  A revision of the current mobility scooter policy is still in consultation.  Concerns were raised about e -scooters. The removal of e-scooters on charge in communal areas is included in the current policy which relates to  the risk posed by any item left in communal areas. There will be a separate e-scooter policy and charging will be included in this.  Tenant Conference  Feedback on the Tenant Conference is online and will be shared with the group.  Contacting the Council  With the reduction of neighbourhood offices – telephone is the best way to contact the council services. There are Housing Hubs, the corporate call centre, Community Hubs, and Oldbury Council House. There are reception points in some areas and Digital Officers is being worked on.  The council has embarked on neighbourhood management structure from January and consultation is about to begin.  The new telephone system is not yet in place, there are still issues to resolve. There has been some recruitment to boost the resource.  The pilot appointment system has been running in Tipton. If queries cannot be resolved callers will be given an appointment for a callback. This will be rolled out to all six towns from 23 September. |  |
| 6. | **TLSG & TAG - Way forward**  The terms of reference have been reviewed and formal sign off was agreed by the group.  Interaction with SNAC going forward will be discussed with Cllr Lewis. | CD |
| TLSG Members Business | | |
|  | **SNAC Update**  There were apologies from councillors Lewis and Dhatt for this meeting, but they are keen to attend future meetings and support the group.  Cllr Lewis to be sent an invitation to all formal meetings.  Chris Davis and Manny Sehmbi will be meeting Cllr Lewis prior to the December meeting.  The TLSG want to send its thanks to Cllr Fenton  **Update on Disrepair Claims Review**  The documents from the disrepair report were previously circulated. They were found to be well presented and informative.  Recommendations will be discussed at the October meeting. Some initial comments were made around what should be included:   * An educational piece, explaining residents’ rights, the HDR process and the pros and cons – e.g. residents may end up incurring costs with an HDR claim. Once a resident signs an HDR claim it is a legal commitment. * More in-house negotiations could be done to settle without involving a solicitor. There may be other channels to resolve enquiries without the need for litigation. * An explanation of what is meant by no win no fee. * Details regarding what portion of any payout goes to the solicitor and how much goes to the complainant.   This was considered a good topic to scrutinise beginning with a review of the document and the officer recommendations.  An implementation date for recommendations will be agreed with the officer/ service.  Chair requested a demonstration of how disrepair claims are logged on the DRS system. Someone from the service area may be able to give a demonstration.  The group would also like to look at the HDR claims backlog.  An FAQ sheet around HDR claims and the impact is to be created for the web page. It was suggested that it should include information from an independent source.  TAG may be able to help with this, but it would need to be factored into their programme.  **Recommendations Tracker**  Chris will update the tracker and invite the group to review.  She is working with Tony Averis regarding accessibility.  **Any Other Business** –  Technology  The group now have tablets and the recognised email addresses will be used going forward. Tablets are to be brought to meetings.  Chris and Manny are meeting with the ITC manager to discuss how we might support TLSG with replacement ICT once the life of the tablets expires or the provision of ICT for new members are appointed to TLSG.  The group now have a Teams page, and documents will be uploaded to this.  Meetings 2025  Meetings have been scheduled up util May 2025. Further dates to be agreed and forwarded to group members.  The formal notes from March and June to be uploaded to the web page.  Annual Report  The draft report was shared with the group and comments invited. Responses to be sent asap.   * The language is easier to understand * The number of ombudsman cases was questioned. * The group photo will be re-done. |  |
|  | **Date of next formal meeting:** - 14 December 2024 |  |