Social Housing Green Paper – 'A new deal for social housing'

Response to the consultation from Nottingham City Homes

Introduction

Nottingham City Homes manages homes on behalf of Nottingham City Council, as well as its own homes, and homes owned by other landlords, and provides a range of services to support people in the communities we serve. Around 27,500 homes are under our management and a fifth of Nottingham households live in the homes we are responsible for.

We have built a reputation for delivery and performance, and for putting our tenants at the heart of everything we do. NCH was awarded 'Landlord of the Year' at the 2018 UK Housing Awards, and has recently completed the 500th new council home for Nottingham City Council.

We work closely with Nottingham City Council to help meet the City's housing need and to provide high quality services to Nottingham people.

We welcome the opportunity presented by the Green Paper to engage in a detailed and meaningful discussion about social housing. This response includes views made to us by our tenants and residents, and the views of our staff, who have been involved in discussions we have had about the Green Paper.

We hope this response can be considered in detail.

Chapter 1: Ensuring homes are safe and decent

General Comments

The NCH welcomes the focus on safety in the Green Paper, as well as supporting the Green Paper's approach to reviewing the Decent Homes Standard.

Regarding safety, Nottingham City Homes commenced a major programme of high rise sprinkler installation following the Grenfell Tower fire, but despite approaches to the Government for support, this work has had to be funded from within our existing stretched resources which are already depleted following the compulsory 1% rent reduction. As a result other investment in council housing has had to be cut in order to fund the installation of these sprinklers.

Whilst we welcome the idea of a more ambitious standard for Decent Homes, and we make suggestions below, the Green Paper does not discuss in any detail funding routes to meet such standards. Our 'Nottingham Standard' for the homes we are responsible for is one we agreed with tenants and residents as part of our regular approach to customer engagement. Our funding plans allow us to meet this standard. However the Government may need to carefully review the financial impact of a higher standard, welcome though this would be, to ensure that this can be achieved alongside other ambitions set out in the Green Paper, such as increasing the supply of social and affordable housing.

1. How can residents best be supported in the important role of working with landlords to ensure homes are safe?

Clarity from Government! Legislation, Building Regulations, BS and EU standards, Health and Safety Executive, Fire Service and other Government guidance all need to be consistent and clearly presented to ensure compliance. In addition to statutory and regulatory compliance sector best practice, with vigorous endorsement from government, can help landlords and tenants work to ensure homes are safe. This can include safety explanatory information given to all new tenants at tenancy sign up, with particular reference to the nature of the buildings they live in (houses, flats, high rise flats). Simple and easy to access information about common safety risk issues (fire, asbestos, legionella, gas, electrical, structural safety, radon etc.) should be accessible and simple to understand. There is an important role for resident engagement in these areas. Landlords can seek residents' views on the safety of their home and use this to monitor opinions and create responses that seek to address these concerns. NCH included tenant representatives in the latest Fire Risk Assessments.

With flats in particular, basic information could be provided in each flat which made it clear where occupants can find more detailed information. This should apply across all tenures, so that leaseholders in flats, or private rented tenants of leasehold owners can also be aware of the information. NCH has published all Fire Risk Assessments online.

The Hackitt Review of Building Regulations and Fire Safety suggests funding and training for tenants and resident associations or equivalent around fire safety, and that is supported. NCH has a network of block and street 'champions' that can play a role in this.

2. Should new safety measures in the private rented sector also apply to social housing?

Yes. It is agreed that these measures should apply across the whole rented sector. Similarly, social housing standards should apply to the private rented sector where these are higher. Encouragement should also be given by Government to owner occupiers to comply with such safety measures, or include statements within the conveyancing process where there are shortfalls (similar to the EPC requirement), so owners are aware of matters at property acquisition stage.

3. Are there any changes to what constitutes a Decent Home that we should consider?

The minimum Decent Homes Standard (DHS) can be seen as a modest baseline so there is a case for the Government to review this in line with changing expectations and priorities.

We would suggest the following are considered for inclusion in a new standard:

- Windows to Grade 'A' standard (Double Glazed) that also meet Secured by Design standards – with minor exceptions that might be necessary, such as for listed buildings or Conservation Areas where other solutions (e.g. secondary glazing etc.) would be explored.
- Secured by Design standard doors at all entry points to the home.
- Sprinkler installation for all buildings over 18 metres high, and other buildings where appropriate, as well as communications systems in flats to contact all flat dwellers in the event of an emergency.
- Full central heating (or equivalent where for example storage heating is the method of heating).
- Loft insulation to building regulations standards.

- Hard wired smoke and Carbon Monoxide alarms.
- Dual flush toilets (for water saving).
- LED low energy lighting wherever lighting is replaced (especially in communal areas).
- A standard for all electrical installations including existing installations.
- Electric vehicle charging points.

We also believe that focusing on longer term, more ambitious targets is a better way of allowing landlords to achieve more with their budgets.

It is important that the Government sets out a longer term trajectory for the energy performance of homes. If there is to be another standard to be achieved, this should be performance and outcome based, rather than prescriptive, but it should be significantly more ambitious than the previous Decent Homes Standard, and less ambiguous. Linking improvement in social housing to a reduction in carbon emissions would be useful. If all buildings are expected to be low to zero carbon by 2050, as stated by the Committee on Climate Change, it is important landlords are given a clear steer that this will be required now, so that their thirty year investment plans can be spent in the most efficient way. Asking landlords to publish a plan for improvement of their homes would also ensure that all landlords were taking responsibility for the quality of their homes.

We welcome the recent removal of the Housing Revenue Account (HRA) borrowing cap allowing investment to save in existing stock as well as helping to build more new homes. Invest to save models are crucial to ensure our homes can meet the standards which will be required in the longer term. However current interest costs are too high. In many other similar economies, borrowing costs for investing in social housing are circa 1%. Allowing social landlords to borrow at this rate would open up significant possibilities for new build and improvement to existing stock.

We support the intention to set a higher Energy Performance Standard. We already have plans in place to ensure our dwellings meet EPC level 'D' by 2021, and would like to see homes meet levels 'C' as soon as possible, though funding support will be required to achieve this. However it is important that a longer term target for zero carbon takes priority and that EPC 'C' is a soft target or an average, as targeting EPC 'C' can result in decisions which in the longer term may cost more to achieve low to zero carbon. We would even suggest setting a long term requirement for all social landlords to have an average EPC 'A' by 2050. Whilst EPC is not the best method for assessing zero carbon, it is clear and understood by landlords, and having a portfolio at average of EPC 'A' would allow flexibility across a broad range of property types, recognizing that some would need to be 'positive energy producers' to compensate for those which were unable to reach zero carbon due to their construction and design.

2050 may feel as though it is a long way from now, but social landlords often plan their business model investments over 30 years, and appraise their new build investments over 30 – 40 years. Setting this clear target for the end of such an investment period will help landlords make the most efficient decisions for their investment in existing homes, and will also result in them building higher quality new build homes which will perform as they are required to, in 30 years.

Fuel poverty is a very significant issue for residents in social housing and such initiatives would be of great value in helping to tackle it.

An objective of tackling the 'digital divide' and digital exclusion by fitting communal Broadband access in flats or residential complexes, and affordable Wi-Fi has been advocated in some of the customer dialogue we have had about this issue.

Standards for communal areas in blocks of flats (stairways, doors, corridors, lifts etc.) could be advantageous, for residents in flats, and their visitors, the 'front door' is the door to the building and the way to the flat entry – it all needs to be 'decent'.

In addition to the DHS, we would highlight the importance of Decent Neighbourhoods too (so the area you live in looks smart, safe, desirable and attractive – which also connects into the tackling stigma theme in Chapter 4) – Social housing was often designed with communal spaces as part of the layout of both housing and flatted estates, and it is important to residents in homes of all tenures on the estates that standards of care are maintained and this is sometimes difficult where Right to Buy has changed the ownership of significant proportion of homes in an estate. This is also about meeting changing expectations about communal estate land maintenance, and layout, such as parking areas on estates designed in the pre car ownership era for example.

4. Do we need additional measures to make sure social homes are safe and decent?

It is necessary for Government to recognise that additional resources will be required to meet higher standards. Existing self-financed business plans have been agreed based on the existing standard, and the period of imposed rent reductions has made resourcing planned improvements more difficult, with works curtailed and postponed as a result.

There are a couple of options for this increased cost. Either central Government funding will need to be supplied, or landlords need to have greater ability to borrow at low interest rates, and then to recoup costs through flexible rents based on improved standards. For example a 'warm rent' model for homes which have guaranteed energy bills, which is something NCH is piloting using the Energiesprong model. In reality it will probably be a combination of both.

Government could potentially look at financial solutions that include additional funding streams dedicated to improvements that link to other, wider objectives. Examples could include reducing home energy use, reducing carbon emissions, generating sustainable energy, addressing the digital divide, preparing for more widespread use of electric vehicles, for example.

It would be beneficial to ensure there is clarity and consistency between standards, for example requirements of building regulations and British Standards.

Regarding measures to help make homes safer, changes to legislation to enable urgent access to homes for safety checks other than gas maybe beneficial, as could strengthening powers to require leasehold flat owners to fit entrance doors to communal spaces that met all applicable fire safety standards, require gas safety certificates and other such compliance where issues in flats impact on wider building safety. For example, the growing use of such flats as short stay 'furnished holiday lettings' (like Airbnb) introduces short stay dwellers in buildings with no requirement for any of the sort of safety measures that a conventional hotel or bed and breakfast premises would be required to have.

Chapter 2: Effective Resolution of complaints

General Comments

The focus should be on professional services that are right first time, reducing the need to complain.

NCH encourages customer feedback and our complaints process is part of that. NCH operates a 3 day 'fix and resolve' approach designed to solve problems promptly because we know our customers want satisfactory outcomes rather than instigating 'formal' complaints processes. Our aim is to 'put things right'. Beyond this, there is a 15 day response time with an option to escalate via the 'democratic filter' (our Tenants Complaints Panel / Councillors / MPs). We successfully resolve 60% of complaints that customers have asked to be escalated before they reach our Panel.

Our Tenants Complaint Panel plays an important role, and Panel members were consulted about this response. There is a clear feeling that having a Panel made up of tenants was of significant value to complainants when complaints that reached that stage were being considered.

5. Are there ways of strengthening the mediation opportunities available for landlords and residents to resolve disputes locally?

It is possible that good practice in mediation could prove valuable and reduce levels of complaints that reach the formal stage. It may be that Government, working in partnership with interested parties like selected providers, the Ombudsman, the advice sector (e.g. Citizens Advice) and tenants' representatives could carry out some pilot schemes to test the effectiveness of mediation. NCH has a mediation service already, which helps resolve issues between residents, which could otherwise potentially escalate into formal complaints.

However, mediation may not be particularly appropriate as most complaints are not a dispute about whether a service has or has not been provided as agreed, they are more likely to relate to aspects of service delivery that may have fallen short and need to be resolved.

We regard the following actions as of value in ensuring processes work well at relevant stages of the complaints process:

- The most important element is to get it 'right first time' and meet tenant expectations
- Effective triaging of complaints in the first instance and a willingness to resolve matters
- A culture that responds to customer concerns and drives a desire to improve service.

6. Should we reduce the eight week waiting period to four weeks, or should we remove the requirement for the "democratic filter" stage altogether?

At present we do not experience particular benefits from the "democratic filter" and we would observe that it might require a greater understanding of its purpose amongst Councillors and MPs for that to change, ensuring that that happened consistently across the country, in every council ward and parliamentary constituency where social housing is located, will always have challenges.

As a locally based organisation we have a close relationship with local Councillors and Members of Parliament and regularly received enquiries from them about our work and about our services. We

respond promptly and appropriately. It is difficult to see that housing organisations working across much larger areas, such as regions or the whole country, can maintain such local relationships. Whilst we envisage that strong contacts with local Councillors and MPs would always continue, we are not convinced that they necessarily always understand their role as a "Designated Person" within the complaints process. Elected representatives would see their role as making sure their constituent's voice is heard and not necessarily regard their role as one of filtering complaints. Some elected representatives may choose to be more accessible to their constituents than others so this could serve to vary the access residents had on no other basis than electoral geography. This can lead to increased confusion for complainants.

We do not see why an artificial waiting period is necessary, so long as internal complaints mechanisms have been used. However, a reduction in the waiting period could make it likely that more customers will approach the Ombudsman. Will the Ombudsman have the resources to manage this without their waiting times increasing significantly? The need to have ensured that internal processes have been exhausted first will remain important, thus it is important that those internal processes are accessible and easy for tenants and leaseholders to understand and make use of.

7. What can we do to ensure that the "designated persons" are better able to promote local resolutions?

As stated, our Tenants Complaint Panel currently plays an important role in how we handle complaints and there is a benefit for complainants in having a Panel made up of tenants. We welcome the opportunity for tenants to be involved in complaint resolution as this is respected by other tenants. However we appreciate that other organisations may struggle with this, particularly those where stock is spread over a wide geographic area. Perhaps it would be worth exploring local networks of tenants who review complaints based on location rather than landlord?

Being a member of a Tenants Complaints Panel can be a significant volunteering commitment for a resident, and the rewards would be modest to say the least. To be an effective member of a Panel requires training and a certain skill set, including empathy, diplomacy, the ability to give difficult messages as well as the ability to assess relevant background paperwork and reports. It may be that an external agency to support Panels to help them with these requirements whilst maintaining that impartiality is could be beneficial.

8. How can we ensure that residents understand how best to escalate a complaint and seek redress?

Landlords should make it easy to find out about their complaints processes and how to complain via the various media that tenants would access or expect to look at – on websites (where both easy to access information as well as more detailed policies can be published), in local offices, tenant handbooks, and from time to time in publications like newsletters. Landlords should check that a basic web search *'<name of landlord> complain'* routes someone to appropriate information and the obvious places where people would expect to find out how to complain and the process by which complaints are managed. They need to be easy to find for wider viewing too, because in local areas there will be a multiplicity of landlords and local advice organisations (like the Citizens Advice, or other voluntary sector bodies) may need to easily and efficiently find out the correct information from any number of different landlords depending on who their clients rent from. The sector could perhaps agree a common template to help ensure standard information was published as a minimum, but it would seem unlikely that central government needs to be over prescriptive in this unless there is evidence that landlords actively

try to make it difficult for tenants to find out how to complain. There would be a value in a central database of complaints addresses for all housing providers, published by the Ministry and easily accessible via the websites of Homes England, the Ombudsman and the Regulator of Social Housing.

The Green Paper suggested that details of how to complain could be provided at tenancy sign up. Whilst we agree that tenancy handbooks and agreements can usefully include this information, we would point out that the customer is already receiving a large amount of information about their new home at that time, and this is no substitute for regular and clear publication of information about how to complain.

Ultimately it is important that organisations have a culture at all levels that appreciates complaints can usefully form a part of the service improvement process, though this is not something that it is easy to legislate for.

9. How can we ensure that residents can access the right advice and support when making a complaint?

If landlords get the culture right, then you do not need so much external advice and support. The work of the Housing Ombudsman Service and the Regulator of Social Housing should aim towards that objective.

Complaints material needs to be easy to access and easy to understand, and rights to raise concerns with other independent bodies made clear to complainants. Language and relevant cultural issues should be considered, as well as the ability of some residents to be able to engage with certain media (the internet for example). Local advice agencies need to be adequately funded to help them support tenants where necessary. These agencies are predominantly funded by local authority grant, and these budgets have been under tremendous pressure in recent years. This has not helped.

10. How can we best ensure that landlords' processes for dealing with complaints are fast and effective?

Once again this relates to the landlord's organisational culture. Our experience is that effective complaints categorising allows speedier responses prior to complaint escalation. Good practice in the sector can no doubt be shared to help in this regard. Our 'fix and resolve' approach helps in this regard, and appropriate triaging is important. This reduces formal complaints and separates the ones that genuinely need a fuller investigation that may take longer to progress.

In serious cases we feel that customers value a proper and thorough investigation, even if this takes time to conclude. The appropriate balance between speed and thoroughness is important.

We do not feel that a 'one size fits all' nationally imposed target time for complaints responses would necessarily be useful, and might actually serve to reduce the care with which some complex problems were investigated.

It is also important that the Ombudsman is resourced sufficiently in order to deal with the complaints that it receives in a timely manner.

11. How can we best ensure safety concerns are handled swiftly and effectively within the existing redress framework?

Initially an issue for internal identification of concerns by each landlord, perhaps handled through a triaging process as described above, as well as staff training when residents raise things that have a safety dimension.

There may be benefit in guidance and clarity of definition around what safety concerns include to ensure that they are treated appropriately and consistently. Whilst certain aspects of safety would not be open to debate, there would inevitably be areas where a resident may take a different view over a definition of safety than a landlord would, and there is the potential for one landlord to take a different view on a safety matter than another.

There must not be confusion between the role of the Housing Ombudsman and the role of the Regulator of Social Housing.

Chapter 3: Empowering residents and strengthening the Regulator

General Comments

We agree that it is important for residents to be able to access information about landlord service and performance. In the discussion we have had with residents their priority is the quality of service they receive, with less concern focused on the ability to compare a landlord against another, which might often involve attempting to compare services designed for varying client groups or provision in different local contexts, which might vary wildly.

We are concerned that an over reliance on Performance Indicators will create perverse incentives. There is a concern that organisations will 'chase targets' at the expense of service to vulnerable residents. Certain customers could present a perceived 'business risk' to which the solution might become changing the customer base as a route to improving performance indicator scores – a form of 'gaming the system'. This would be of no benefit at all to the vulnerable residents social housing organisations seek to house, a role that they see as an important part of their mission. Families in poverty, such as homeless families, could be seen as a financial risk to the landlord. There are already examples of pre tenancy financial checks being carried out that exclude households from social housing.

There seems to be an implication that social landlords are too often remote and unapproachable. Yet many have strong local roots, are locally based and have close linkages with the communities served, with many staff living in the areas in which they work. Greater recognition of the value of strong local roots by the Government would be important. NCH is a local landlord, and all local authority landlords are local. Some housing associations have spread their ownership too far, with little stock in some areas and a perception of remoteness as a result.

12. Do the proposed key performance indicators cover the right areas? Are there any other areas that should be covered?

National standard Performance Indicators are not appropriate.

Given the general comments we have made about key performance indicators, genuinely useful indicators, agreed locally with tenants would be a tool to help drive up service quality. There is undoubted expertise in the sector that can help with this. It may, for example, be important to consider

providers that operate in different local or regional circumstances, or provide services to very different client groups.

13. Should landlords report performance against these key performance indicators every year?

No, our general comments about standard national performance indicators apply.

However, annual reporting of local performance would be appropriate, and should be in a format that is accessible to residents. Our tenants are not interested in comparative performance indicators, they want good quality service as their priority.

14. Should landlords report performance against these key performance indicators to the Regulator?

The Regulator needs a system to identify where there are issues to resolve. Numbers and performance indicator scores will not necessarily tell you where there is a problem, neither does the Regulator want to compile sets of numbers.

15. What more can be done to encourage landlords to be more transparent with their residents?

As an ALMO, NCH ensures that tenants have a key role in decision making. Tenants are represented at Board level. We believe this is a strength in the ALMO model. Tenants are involved at other decision making levels, including customer service panels, the selection of contractors, and as 'resident champions' for street(s) or blocks of flats. It is of value to us to have tenants involved in decision making and important that we produce relevant data about our performance and share that with residents.

Not all social housing providers are structured in this way, so it may be of value that there is a clear expectation that as a minimum requirement certain information is made available to residents and that this is presented in an accessible and meaningful way.

16. Do you think that there should be a better way of reporting the outcomes of landlords' complaint handling? How can this be made as clear and accessible as possible for residents?

Publishing the number of complaints received can be misleading for customers. A large number of complaints does not necessarily indicate a poorly performing organisation, organisations could 'gate keep' to minimise complaints which would not serve customers well. Organisations publishing their own statistics could be open to differing interpretations, for example it will usually be an internal operational decisions as to whether a complaint is designated as 'resolved'. The complainant may not consider it is resolved, if the outcome has not been resolved to their satisfaction. The Green Paper advocates a more consistent approach which could be of value, but we would suggest the Government and the Regulator work with the sector over this. Unless all of the sector handled complaints in a similar way there is a risk that complaint handling would be very difficult to compare. What is of most importance is for the outcomes of complaints to drive improvements in service.

The Ombudsman could publish their statistics regarding complaints escalated to them and details of those investigated and upheld. This would result in an objective set of results produced by an independent body.

17. Is the Regulator best placed to prepare key performance indicators in consultation with residents and landlords?

NCH are concerned that an over reliance on Performance Indicators will create perverse incentives.

There is a role for the Regulator in this task, but an approach that works in collaboration with the social housing sector, including tenants, is more likely to result in the creation of meaningful **local** indicators that stand the test of time.

The Regulator's role should be to identify concerns and safeguard tenants.

18. What would be the best approach to publishing key performance indicators that would allow residents to make the most effective comparison of performance?

Residents want good service, they have not demanded sets of comparative statistics.

If Government progresses with a flawed approach to publishing performance indicators and the inevitable league tables that will result, then indicator data will need to be published at levels that are meaningful for residents and other interested parties, this will mean producing data by similar type of organisation and community served. It would also need to be provided at a regional and local level. Large providers with homes across a wide area should be required to breakdown performance in to meaningful geographical areas to make the performance indicators relevant and comparable for local residents.

Again this is an area where work with the sector as well as with resident organisations could help ensure useful and meaningful information is available in a timely manner.

19. Should we introduce a new criterion to the Affordable Homes Programme that reflects residents' experience of their landlord? What other ways could we incentivise best practice and deter the worst, including for those providers that do not use Government funding to build?

There is certainly a values to having meaningful incentives to improve. The 'star regime' around the original Decent Homes investment programme worked well in this regard. However, it must be observed that the people who would suffer the most from being prevented from accessing funding would be the people least able to do anything about it – namely people on waiting lists urgently seeking social housing. Penalising other forms of investment also risks a similar problem, for example poor estates getting worse, and more stigmatised, if investment is not released to help break that cycle.

It is possible that strong incentives to focus on improvement and best practice may be created were poor performance to trigger a right to switch management. The Regulator has this power and should use its powers more, this would certainly create very strong incentives for organisations to improve. Such interventions should happen after a proper assessment of capability and service quality, rather than simply based on a number of performance indicators which might otherwise be chased for the sole purpose of preventing intervention. Tenants' experience of their landlord could be part of the suite of measures here.

There is also a role for the local authority strategic housing service. They should be required to approve Homes England expenditure in their area. This would help drive out poor performing providers, as the

local authority will not wish to approve funding to poorly performing organisations in their area. They will also have the insights at the local level to know about standards of performance on which to base informed decisions.

20. Are current resident engagement and scrutiny measures effective? What more can be done to make residents aware of existing ways to engage with landlords and influence how services are delivered?

Tenant Board members at NCH are an important part of this, along with tenant scrutiny at various other levels, including:

- Service reviews led by tenants
- Estate inspections led by tenants
- Quality of voids for re-letting led by tenants.

This can help bring customer challenge to all parts of an organisation. It can be necessary to dedicate resources to capacity building, but our experience is that many customers are happy to engage positively in different ways, so landlords should ensure that a range of opportunities for that to happen exists. There will undoubtedly always be more that can be done, but the sector should be able to share best practice as a guide and have ways to ensure that new approaches to tenant scrutiny be tried and tested.

21. Is there a need for a stronger representation for residents at a national level? If so, how should this best be achieved?

Yes, such a body can have a valuable role in dialogue with Government and related bodies as well as an organisation that could play an important role in helping address the issues related to stigma that the Green Paper identifies, by being a champion for tenants and residents in social housing.

The challenge is to be genuinely representative. Maybe all social housing tenants by default could be part of a national network with rights to choose their representatives? This could be conferred by virtue of the tenancy, in the way that, for example, an account holder of a Building Society confers membership rights.

22. Would there be interest in a programme to promote the transfer of local authority housing, particularly to community-based housing associations? What would it need to make it work?

We are not aware of any demand for this from residents in Nottingham. The current ALMO delivery model for managing council housing in Nottingham works very well, and the strong partnership relationship between NCH and the local authority is extremely helpful in terms of service delivery as well as helping us to deliver new, additional homes to meet Nottingham's housing need.

23. Could a programme of trailblazers help to develop and promote options for greater resident-leadership within the sector?

The ALMO model provides opportunities for resident involvement in leadership so there may be a value in re-invigorating the model. We would support the objective of greater resident leadership across the

sector in general as we have seen the benefits of resident leadership at Board level. This has included a resident as Chair of our Board.

24. Are Tenant Management Organisations delivering positive outcomes for residents and landlords? Are current processes for setting up and disbanding Tenant Management Organisations suitable? Do they achieve the right balance between residents' control and local accountability?

There has not been any recent demand to set up a Tenant Management Organisation locally, and there are none currently operating in the area we serve so we are not making further comment on this question. Our experience is that most tenants want to pay a genuinely affordable rent and expect good quality services, professionally managed, in return.

25. Are there any other innovative ways of giving social housing residents greater choice and control over the services they receive from landlords?

Tenant Board members help set our budgets and the budget priorities, which we regard as an important part of ensuring choice and control over services. Tenants as a whole were widely consulted and engaged in the development of our Corporate Plan which sets out our medium term objectives, being given choices of the services that were important to them which we then prioritised accordingly in our Plan, including the performance indicators that would measure them, and which we would report on.

There is also choice at an individual level, for example when carrying out improvements to homes, and tenant involvement in procurement decisions like the choice of contractors, and decent homes components such as the kitchens and bathrooms that tenants can choose from.

26. Do you think there are benefits to models that support residents to take on some of their own services? If so, what is needed to make this work?

Our experience is that tenants and residents are primarily interested in the quality of the service they receive, not particularly in the business of running the services themselves. We therefore believe the focus of the Green Paper should be on helping to achieve such service quality.

27. How can landlords ensure residents have more choice over contractor services, while retaining oversight of quality and value for money?

It is unfortunate that our experience of services provided by contractors is that they have sometimes resulted in higher levels of customer complaints than services provided by our in-house teams. With our customers' priority being on good quality service we believe efforts should be focused on achieving that. Our model of service delivery also works well to provide employment and training opportunities for our own tenants and their family members in a wide range of areas of work. For example we prioritise our apprenticeship programme vacancies for those who live in our homes, in line with seeking to maximise our tenants' opportunities to find pathways into employment.

What has worked well for us is involving customers in procurement decisions, including helping to specify fittings for their homes (for example new kitchens and bathrooms). We have also extended this approach to involving customers in the selection of contractors delivering services where this has been adopted.

28. What more could we do to help leaseholders of a social housing landlord?

Right to Buy discounts have encouraged unsustainable home ownership. Discount levels should be looked at. We have great concern over leaseholders in high rise flats, and we believe the Right to Buy should be suspended in high rise buildings.

Beyond this the Government could re-visit the arrangements around sinking funds for local authority leaseholders as a way of avoiding the peaks and troughs of costs associated with building maintenance, especially when this relates to tall buildings where such costs can be high. A review of good practice would be valuable.

29. Does the Regulator have the right objective on consumer regulation? Should any of the consumer standards change to ensure that landlords provide a better service for residents in line with the new key performance indicators proposed, and if so how?

Our concerns about performance indicators have been set out earlier. Consumer standards should protect residents, ensuring safety and that their interests are being met. As important is the need to regulate pro-actively and enforce these standards, as with the other standards regulated, rather than consider them reactively. The Regulator's primary role should be to identify and address significant concerns.

Consumer regulation should be applied consistently and fairly across the sector, covering Registered Providers, Councils and ALMOs on an equal basis. It should also consider private tenants.

30. Should the Regulator be given powers to produce other documents, such as a Code of Practice, to provide further clarity about what is expected from the consumer standards?

Yes, this would be of value, but only if consistent with legislation and other regulation and guidance (HSE, Fire Service advice etc.). This would aid clarity on what can be expected by 'good performance'. Consultation with the sector and with tenants should allow a balance to be struck between the clarity that is needed without an over prescriptive approach.

31. Is "serious detriment" the appropriate threshold for intervention by the Regulator for a breach of consumer standards? If not, what would be an appropriate threshold for intervention?

Currently this threshold is too high. It can potentially permit ongoing poor performance with little prospect of intervention. The Green Paper is correct to indicate this is not in line with other levels of service regulation people might expect to encounter, and this may re-enforce the view that social housing is 'less worthy' of government attention.

A proactive approach that is similar to that adopted in respect of Governance and Viability standards would be more appropriate.

Confusion between the role of the Regulator and the Ombudsman must be avoided. Residents need to understand easily who they should complain to if they are worried about safety, for example, and don't feel their landlord is addressing their concerns.

32. Should the Regulator adopt a more proactive approach to regulation of consumer standards? Should the Regulator use key performance indicators and phased interventions as a means to identify and tackle poor performance against these consumer standards? How should this be targeted?

A more pro-active approach would be beneficial. Landlords should be required to prepare a self-assessment produced annually. Each landlord determines their own strengths and weaknesses. If a landlord does not identify weaknesses and areas for improvement, that should be a cause for concern for the Regulator to review. This would certainly encourage self-improvement.

The regulator may also wish to monitor high levels of complaints, or perhaps high levels of Ombudsman investigations being upheld, to inform on the need for interventions. Reports of concerns by local councils or Members of Parliament should be given due consideration. Targeting of interventions could be guided by patterns of poor performance.

33. Should the Regulator have greater ability to scrutinise the performance and arrangements of local authority landlords? If so, what measures would be appropriate?

Yes. The ability to scrutinise should be consistent across differing providers and should include private landlords too.

34. Are the existing enforcement measures set out in Box 3 adequate? If not, what additional enforcement powers should be considered?

If regulation is to be consistent across the sector, the Regulator needs to have the same powers to apply to all social landlords. We would question why certain powers are not applied to 'for profit' providers (as footnoted in Box 3 of the Green Paper) since we would expect tenants to assume the same powers were applicable to these organisations too.

The Regulator needs to use the powers that it has available.

35. Is the current framework for local authorities to hold management organisations such as Tenant Management Organisations and Arms Length Management Organisations to account sufficiently robust? If not, what more is needed to provide effective oversight of these organisations?

If the Regulator is to hold the local authority to account in circumstances described in paragraph 103 (where TMOs and ALMOs manage homes) then there should also be a process for the Regulator to hold those organisations to account if there was evidence the local authority was not performing this role with a sufficient degree of robustness.

NCH has a strong relationship with its local authority, and this includes 3 local authority Councillors on the Board. Although they act in NCH's 'best interest', they do provide an accountability link back into Nottingham City Council (NCC).

We have a Partnership Agreement with the Council that sets out how the relationships should be managed and a Partnership Forum that is the key means for joint working and accountability between both bodies. ALMO guidance from the Ministry does detail clear lines of accountability between key council officers (e.g. the portfolio holder) and the ALMO.

36. What further steps, if any, should Government take to make the Regulator more accountable to Parliament?

The Regulator should be accountable to Parliament and subject to Parliamentary Scrutiny. We would expect the Housing, Communities and Local Government Select Committee to scrutinise its work, and call on it to give evidence in relevant inquiries. We would expect appropriate reports by the Regulator to be published, as well as any performance tables or similar data collected by the Regulator. It would be expected that these are available to Members of Parliament in the usual way.

Chapter 4: Tackling stigma and celebrating thriving communities

General Comments

NCH welcomes the Government's recognition of the harm that stigmatisation of social housing does. We are pleased that Government has heard the very strong messages that tenants have sent on this issue, and we strongly support tenants and residents' concerns regarding this issue.

We would make the point in the strongest terms that the way to tackle stigma is for Government to fully appreciate that social housing is a tenancy of choice for a vast number of people, that it provides a spring board to a stable and secure life, allowing millions of people to place secure roots in the communities in which they live. Investment in new and additional social housing would be one of the single biggest ways in which Government could celebrate communities and help tackle the stigma that many residents in social housing feel they are unfairly subjected to. For many people, social housing is a quality housing choice, not a stepping stone to another tenure. **It is not a 'second class' option to owner occupation, yet use of terms like 'safety net' almost certainly compound the problem rather than help address it.**

37. How could we support or deliver a best neighbourhood competition?

NCH already works to celebrate the contribution residents make to their communities in various ways. This includes such things as Tenant and Leaseholder Awards, celebrating all the great things tenants and residents do in their communities, and a garden competition with a history that stretches back over 80 years, celebrating the way many residents help make their neighbourhood a more beautiful place to live. We involve street and block champions in helping us to assess the environments on our estates, with a star ranking system designed to drive up standards as we know the condition and appearance of the neighbourhood is one of our residents' top priorities. However, local media has not given a high profile to such initiatives, preferring 'bad news' stories for more salacious headlines.

NCH is putting forward estates for Green Flag award status to help recognise the quality and amenity of the open spaces on the estates that we manage that have been a feature of their design since construction. Such open spaces are uncommon on privately developed estates, yet they can make a real contribution to the quality of the neighbourhood and this is something can be celebrated at a neighbourhood or estate level. This does connect with the resources required to deliver a 'Decent Neighbourhoods' approach to balance 'Decent Homes' as detailed in our response to the Green Paper Chapter 1.

The Government's intention of finding ways to celebrate our communities is laudable, but we think focus and resources should aim at helping communities tackle the real challenges they face – poverty,

disadvantage, lack of access to services - and help build up social capital within the neighbourhoods concerned.

38. In addition to sharing positive stories of social housing residents and their neighbourhoods, what more could be done to tackle stigma?

Most importantly Government should turn away from an approach that residualises social housing as a 'safety net' only for people who cannot access any other tenure. A greater recognition that it is a tenure of choice, and ensuring that financial structures help ensure its provision would make a considerable difference to tackling stigma. The sector is ready to address this, requiring the financial model to deliver new building in sufficient quantities. With this in mind we welcome the Prime Minister's recent announcements on long term funding certainty and the Housing Revenue Account Borrowing Cap removal and look forward to maximizing our own contribution.

Government should draw on ideas from the See the Person campaign http://benefittosociety.co.uk/see-the-person/ in relation to this issue.
Government should consider making tenure a protected characteristic under equality legislation.

39. What is needed to further encourage the professionalisation of housing management to ensure all staff deliver a good quality of service?

NCH believes the sector has a commitment to professionalism, and ensuring that the resources are available for staff training, career development is important.

Apprenticeships define standards in terms of the professonalism in housing management.   As an organisation, NCH is committed to providing apprenticeships in areas as diverse as Housing Management, Customer Service, Business Administration, and building craft trades. Links to the Chartered Institute of Housing and other professional bodies is encouraged via membership and attendance at CPD events.

Learning and development aligns to our company vision and values, ensuring that individual staff and teams of employees can deliver on their targets and goals in a way that fits with our culture, aiming to provide high quality services to our tenants and residents.

40. What key performance indicator should be used to measure whether landlords are providing good neighbourhood management?

Responses to other questions outline the risks that can be associated with performance indicators and their potential to sometimes create perverse incentives if not constructed carefully. With this in mind we would advocate that Government works with the sector to devise any relevant local performance indicators to ensure they help to drive up standards.

41. What evidence is there of the impact of the important role that many landlords are playing beyond their key responsibilities? Should landlords report on the social value they deliver?

NCH supports an approach that measures and reports on the social value delivered by our wider activity.

All that we do has a social value, it is not an 'add on' as for a private company.

We have commissioned research and published assessments of this across a range of areas of our activity – as well as measuring the impact of our expenditure and investment in homes, we have also considered the wider impact on things like health, the reduced impact of crime, helping residents access training and employment to cite a few.

Impact studies are available from our website, for example:

- Investing in our homes:
https://www.nottinghamcityhomes.org.uk/repairs-and-improvements/improving-your-home/the-impact-of-improving-your-home/

- Helping people move from hospital to free up NHS resources:
https://www.nottinghamcityhomes.org.uk/find-a-home/h2h/
https://www.nottinghamcityhomes.org.uk/EasySiteWeb/GatewayLink.aspx?alId=10192

- The wider benefits and outcomes of proactively tackling anti-social behaviour:
https://www.nottinghamcityhomes.org.uk/EasySiteWeb/GatewayLink.aspx?alId=2216

Assessing the impact of landlord activity often sits 'outside the day job' and of course requires resources to commission research and measure impact in an appropriate way. Government could work with the sector and with research organisations to help social landlords measure their impact, learn from best practice and help landlords do more of what works best.

42. How are landlords working with local partners to tackle anti-social behaviour? What key performance indicator could be used to measure this work?

NCH's approach to tackling anti-social behaviour is set out in detail in our 'Tackling Anti-social Behaviour and Crime Strategy 2016-2019' which is available here:
https://www.nottinghamcityhomes.org.uk/EasySiteWeb/GatewayLink.aspx?alId=2111

As a locally focused ALMO, with the vast majority of our homes in one local authority area, we are able to build up strong partnership working arrangements with the local Police and local authority Community Protection staff. This is a major benefit when it comes to effective working on the ground, sharing intelligence and responding to issues. It may be the case that social landlords with stock spread more thinly across larger geographical areas would find it difficult to work so closely, as they would have to forge, maintain and resource such partnerships with a larger range of equivalent Police Forces and other relevant services.

There are other benefits to our local focus, with staff out an about on the streets in the neighbourhoods where we have homes, it allows us to resource things like mediation services to help resolve matters like neighbour disputes that in other tenures would likely result in requests for interventions from the Police, for example.

Again, we would note that risks can be associated with performance indicators and their potential to sometimes create perverse incentives if not constructed carefully. With this in mind we would advocate that Government works with the sector to devise any relevant performance indicators to ensure they

are useful measures of this work bearing in mind the very different and varied contexts of social housing across the country.

43. What other ways can planning guidance support good design in the social sector?

We agree that quality designs can significantly help project a positive image of social housing, and it is an approach we have adopted with our new build homes. It is important that new social homes are designed to the same standards of quality as the rest of any development, and Government guidance should stress this. Social housing should not be the 'poor relation' in a new development – for example, often they have significantly smaller room sizes, so internal space standards are particularly important. We have resisted such reduced space standards in the homes we have built.

Our new build homes have been:

- Shortlisted for a Royal Institute of British Architects (RIBA) award
- Won an award as the best new social housing in the country

NCH has surpassed the minimum standards with the new build homes we have constructed. Being based largely within a local authority area we are able to build a strong working relationship with the local planning authority staff to bring forward quality homes that meet local planning objectives. Planners at the local authority have remarked that our new social housing is amongst the best designed new housing in the city in any tenure. Large national or regional housing organisations may not have the ability to do this and thus are more likely to bring forward standardised designs that have less relevance to local planning and design priorities.

Space standards that recognise the size and needs of households in social housing is important. However, we would ask the Government to note that the impact of the 'bedroom tax' serves to penalise households that require more space – for example sometimes requiring families to move to larger homes (and potentially moving schools) if the family size increases as there is no 'room to grow'.

It is important for Government to recognise that the most desirable sites are often acquired by the private sector for private development, leaving social housing providers with more challenging (and often more costly) sites. This is far from ideal.

Other planning guidance should include:

- Environmental standards – to help reduce fuel poverty and carbon emissions, and increase affordability
- Secure by Design status – to help reduce crime and improve resident safety.

44. How can we encourage social housing residents to be involved in the planning and design of new developments?

Involving residents in the planning and design of new developments is valuable, but it is also important to engage the wider community in the areas where such developments are to be located.

NCH's award winning Lenton Green development (https://www.jtp.co.uk/projects/lenton) included resident involvement from the start, but it is important to recognise this was a redevelopment of an

estate of high rise flats that were no longer fit for purpose, to be replaced largely by new family housing. An option existed for existing residents in the buildings being demolished to return to live in new homes on the site, so engaging them was relatively straightforward. This would be in contrast to new developments primarily aimed at housing people from a waiting list where there would always be a risk of raising expectations amongst those on the list that they would be successful in being allocated planned homes, which could not be guaranteed. The mismatch between the size of the list of people waiting for social housing and the supply currently being delivered might make such engagement frustrating for people. Of course a significant increase in supply might make such a dialogue more meaningful to those seeking homes. Nevertheless, consulting existing tenants on what works well is of course a useful way to ensure that future tenants benefit from the experiences and knowledge of existing residents.

Our position as a locally based housing provider puts us in a strong position to engage in meaningful consultation and involvement with existing and future residents as well as the wider community and we believe this is of considerable value.

Chapter 5: Expanding supply and supporting home ownership

General Comments

NCH has demonstrated that it can make a significant contribution to expanding supply, and we have recently marked the completion of our 500th new home with Nottingham City Council. These are high quality homes that have won awards for their design. We are enthusiastic about the potential for building more new homes, playing our part in helping the Government to meet its targets for increased housing supply in the country. Our priority is to develop social housing that meets the needs of Nottingham people. However we recognise that a range of different housing options can meet the needs of local people. Where there is a demand for other products like community owned homes or shared ownership, we would seek opportunities to help provide them where this fitted in with our overall business and financial planning objectives.

We also believe that new social housing, built to high environmental, space and design standards can be a powerful method of addressing aspects of the stigma that the Government highlights in Chapter 4. We welcome the Government decision to remove the caps on Housing Revenue Account borrowing and will seek to work closely with our local authority to maximise the benefits that this can deliver. However, we do remain concerned about the aspects of the Right to Buy rules that make replacing homes difficult. We would strongly encourage Government to look at the Right to Buy rules in detail as part of the work it must do following this Green Paper consultation.

45. Recognising the need for fiscal responsibility, this Green Paper seeks views on whether the Government's current arrangements strike the right balance between providing grant funding for housing associations and Housing Revenue Account borrowing for local authorities.

We believe this is an area where Government still needs to focus attention. The removing of the Housing Revenue Account (HRA) borrowing caps is welcome, but borrowing and grant funding are not necessarily comparable. We also note that substantial sums of Government funding are allocated to supporting the private market and access to home ownership. Government should review if these funding streams are delivering the desired objectives of increased housing supply, particularly at the

level of affordable and social levels of housing cost from the perspective of the housing 'consumer', whether they be renters or owners.

We would also draw attention to the fact that housing associations are more likely than local authorities to be able to invest outside a single geographical area, a local authority being far more likely to invest only in or very close to its administrative boundary. This can provide the ability for a housing association to cross subsidise developments across its portfolio based on different land values, in a way that a local authority is unable to do. Furthermore, many local authorities will not have 'London value' land assets at their disposal that they can sell and use.

Local authorities are at a disadvantageous position compared with housing associations with respect to the Right to Buy. We hope that the outcome of the Government consultation on use of Right to Buy receipts will be helpful in this regard, but we would advocate a more significant review of the Right to Buy. The current arrangements do not allow a local authority to expand its stock to meet housing need, and given that replacement rates have fallen behind sales rates the problem is exacerbated.

The original HRA self-financing model introduced in 2012 was predicated on local authority housing stock size levels that were modelled to include RTB stock sales at discount levels prior to the introduction of the "Re-invigorated Right to Buy". The levels of sales since re-invigoration are substantially higher than the levels predicted before and this has placed an unreasonable strain on the HRA since the introduction of self-financing giving a different financial environment to Registered Providers. We believe the Government should therefore consider a more fundamental review of Right to Buy. Specifically:

•   The current discount levels are too high
•   The on sale to private landlords creates management problems and poor maintenance of properties on estates
•   RTB in higher risk properties such as high rises creates problems, especially when subsequently sold onto to private landlords
•   Councils should retain 100% of RTB receipts for reinvestment in new homes where they are needed.

The current Right to Buy discount levels undermines the financing for new build, especially the application of the Cost Floor rules, which are currently the lower of build costs or market value. It should be the higher of the two as otherwise new build housing is potentially built at a loss, creating a significant disincentive for such activity, particularly in low value areas, which is where you would otherwise wish to build in order to deliver the maximum amount of new housing for the funds available. This is also pertinent where you may wish to invest to stimulate neighbourhood regeneration, paving the way for additional private sector investors to build nearby or as part of the development. Such approaches can help to boost new build for home ownership in line with wider local and national housing objectives to increase supply – helping the private sector have confidence to invest.
The uncertainties around the introduction of Universal Credit and the impact this will have on rental income is also a disincentive for new build.

46. How we can boost community-led housing and overcome the barriers communities experience to developing new community owned homes?

More community led housing developments would be welcome. However, it is a big 'ask' of communities to take on complex activity of this nature, often in a voluntary capacity. It requires the right mix of skills, time and resources to bring developments to fruition. It may be that Government needs to help provide greater funding, knowledge and training to community groups who aspire to bring forward this sort of housing, perhaps with resources to underwrite startup costs for such schemes. Encouragement for newly forming groups to engage early with locally based Registered Providers, the council or ALMO could help support the development of their business plans and ensure there are not competing schemes in the locality.

47. What level of additional affordable housing, over existing investment plans, could be delivered by social housing providers if they were given longer term certainty over funding?

With greater certainty on future rental income and if appropriate grants are made available then, where there is the ambition the financial model for building new affordable (or social) rent could generate new schemes only limited by the scale of local demand and appropriate land being available – the waiting list in Nottingham is for 7,600 homes. The land is not always available where needed and this cannot be delivered quickly, but it does demonstrate a strong demand for new affordable homes that are not currently available within the City.

An advantageous borrowing environment for social housing, underwritten by Government, would help deliver significant numbers of new build.

48. How can we best support providers to develop new shared ownership products that enable people to build up more equity in their homes?

The land available to develop new housing in Nottingham is limited, and there is a high level of need and demand for rented social housing in the city, which means that the priority for investment is set accordingly. There will be other areas where this is also the case and Government needs to recognise that situation. In other locations, of course shared ownership may be more of a local priority. We would certainly work with the local authority to bring forward such developments if there was local need and customer demand in the area in which we operate. We welcome the government's decision to remove Stamp Duty Land Tax on shared ownership properties.

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