

Report to Safer and Active Communities Committee

1 April 2021

Subject:	Tenant Engagement and Participation
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1 Recommendations

- 1.1 Consider the update on the review of Tenant Engagement and Participation.
- 1.2 Consider the dissolution of the current Tenant Review Panel and the proposed new model.

2 Reasons for Recommendations

- 2.1 The review of Tenant Engagement and Participation will reflect changes in Legislation and Regulatory Standards.
- 2.2 A review of Tenant Engagement and Participation reflects good practice, but in addition there is an increase in expectations due to changes in the following:



- Regulator of Social Housing
- Housing Ombudsman
- National Housing Federation's Code of Governance
- Build & Fire Safety Bill
- Regulatory Standards (<https://www.gov.uk/guidance/regulatory-standards>)

2.3 The Regulatory Standards outline specific expectations and outcomes that providers are expected to achieve. Providers' boards and local authorities are responsible for meeting the relevant standards and determining how this is done. The Regulatory Framework encompasses a tenant involvement standard.

2.4 The proposed new tenant scrutiny model will not only reflect the above but also reflect good practice as outlined in Successful Scrutiny of Council Tenant and the National Tenant Engagement Standards, as outlined by Tpas (Tenant Participation Advisory Services)

3 How does this deliver objectives of the Corporate Plan?

	<p>Strong resilient communities Through strengthening tenant engagement and participation, it will enable:</p> <ul style="list-style-type: none"> ○ Stronger relationship between the council and tenants ○ Enhanced information and communication ○ An opportunity for tenants to develop ○ Develop a greater sense of place within the community
	<p>Quality homes in thriving neighbourhoods Through involving tenants in housing services through a more coproduced approach will enable:</p> <ul style="list-style-type: none"> ○ Improvement to services for tenants ○ Better value for money ○ Improved customer experience and satisfaction ○ Better customer loyalty



4 Background:

- 4.1 The Charter for Social Housing Residents Social Housing White Paper 2020, where 'Government is re-booting consumer regulation to ensure landlords adopt the right behaviours and can be held to account for their actions by tenants. 'This is the Heart of the White Paper' –*Jane Everton, MHCLG*
- 4.2 This White Paper is the follow up to the Green Paper - A New Deal for Social Housing, that was published in August 2018 and is part of the government's ongoing response to the Grenfell Tower tragedy and the Hackett review.
- 4.3 The White Paper highlights the need for transparency, openness and accountability, and outlines 7 key promises to tenants in social housing, these are:
- To be safe in your home
 - To know how your landlord is performing and hold it to account
 - To have your complaints dealt with promptly and fairly
 - To be treated with respect
 - To have your voice heard by your landlord
 - To have a good quality home and neighbourhood to live in
 - To be supported to take a first step to ownership
- 4.4 The updated (Tpas) National Engagement Standards reflect Regulatory requirements as discussed in 2.3, with clear principles and actions for social landlords to adapt to continuously improve the way residents are involved in shaping & improving services. The Tpas Standards can be used as a framework, to guide our work against the backdrop of the political & regulatory changes ahead
- 4.5 In May 2018 Dame Judith Hackett published a report into building regulation and fire safety, and one of the key recommendations covers the need to reassert the role and voice of residents ensuring residents have access to key information about their building and its safety measures.



Hence the empowerment of tenants and their involvement of such developments is key.

4.6 The Council have developed the Vision 2030 and the Sandwell Plan which impacts on communities and residents of Sandwell and supports the need to engage and empower tenants and residents within their community. In addition, the current impact of covid on our communities reinforces the need to engage with our communities in local service design and delivery.

4.7 All the above reinforces the need to continue to support and develop tenant involvement and participation and strengthen the tenants voice within the Council and wider neighbourhoods. As well as legal and statutory reasons for the review, as well as the fact that the Regulatory Standards recommend a review is undertaken every 3 years.

5 **Current Structure:**

5.1 The Council has a Tenant Complaints Panel. This group forms part of the Council's complaints procedure, which provides the opportunity for tenants who make an appeal and to be given the option to be heard by a group of their peers.

5.2 SCIPS (Sandwell Community Information and Participation Service) plays an important role in supporting tenants in Sandwell, to be involved and to influence decisions affecting their homes and neighbourhoods. The Council have renewed the grant agreement for a further 3 years, taking the agreement to the 31st March 2023.

5.3 The Council supports the Tenant Review Panel (TRP), which is made up of tenants and a leaseholder, with a role to support service improvement and to scrutinise elements of housing services. A representative of this group sits on the councils Safer Neighbourhoods and Active Communities Scrutiny Board.



5.4 The TRP is made up of 9 tenants and 1 leaseholder but currently has 4 vacancies and has been the case for some considerable time. The role of the group is to work on behalf of tenants and leaseholders to drive forward continuous improvement in the delivery of the Council's Housing Services, through providing challenge and scrutiny of services

6 Activity to Date:

6.1 Initially this review was brought to the Safer Neighbourhoods and Active Communities Scrutiny (SNAC) on the 30th January 2020 for discussion but also requesting a member of the group be part of the working group. Below is a summary of activity that has taken place to date:

- Initial discussions took place with Cabinet Member for Homes, SNAC and Tenant Review Panel (TRP)
- Established a working group to explore and codesign different models and structures
- Consultation with existing engagement & participation structures
- Tpas engaged as Critical Friend
- Feedback to Working Group on Consultation and presentation from Tpas on good practice models
- Following above discussions draft Terms of Reference and Engagement Model presented to the Working Group
- Update provided to Cabinet Member for Homes and TRP
- Cabinet workshop took place on 10.03.21

6.2 As part of the work that has taken place, a draft Resident and Leaseholder Involvement Model has been drafted. The model can be seen in Appendix 1 and provides an outline as to the different levels of involvement and types of potential activities, some of which are in existence, but some are suggestions for going forward. It is anticipated that the model of involvement will evolve over time.

The involvement model also looks to encompass a set of underlying principles that will be developed by those involved from officers to residents. In addition, the model acknowledges and recognises that different approaches are relevant dependent on the purpose of the involvement and therefore will require varying levels of involvement.



6.3 Appendix 2 provides an overview of the governance structure and where the proposed Resident & Leaseholder Scrutiny Panel fits, along with the suggestion of a Cllr representative.

Potentially the Cllr representative could be represented by:

1. Cabinet Member for Homes
2. Cabinet Advisor
3. A nominee from the SNAC committee

Or it could be a combination of and/or for example Cabinet Member for Housing may delegate to the Cabinet Advisor.

The benefits of having such a role would be:

- By being co-opted onto the group would enable the representative to be part of the group and be involved in discussions
- Providing a voice & advocate through political channels
- Support the fostering of good relationships between Cabinet and Scrutiny
- Stronger communication between Cabinet & Scrutiny, supporting joining up on areas of interest

Appendix 3 provides a draft job description.

6.4 To support the development of the proposed Resident & Leaseholder Scrutiny Panel a draft Terms of Reference (TOR) have been developed, please see Appendix 4.

The TOR are based on the document Successful Scrutiny for Council Tenants & The National Tenant Engagement Standards (Tpas) and have been discussed and shared with Democratic Services.

The key differences with the proposed TOR is that membership would be 8 tenants and 2 leaseholders, as opposed to 9 tenants and 1 leaseholder. Also, members of the group would serve for a maximum period of three years and not stand for reselection.



There would be a recruitment process which yet to be agreed but is anticipated would be a recruitment process with a view to encourage broader representation and more diverse membership.

7 Next Steps:

- 7.1 Subject to discussions, it is proposed to take this paper to Cabinet and to then feedback to the Tenant Engagement and Participation Working Group. If Cabinet agree the new model, then the proposal will be to dissolve the current TRP and set up an Implementation Group.
- 7.2 The Implementation Group would replace the Tenant Engagement and Participation Working Group and would work to support the development of the Scrutiny Panel and to develop further detail behind the Involvement Model

8 Alternative Options

- 8.1 If the Board does not consider the update then the chance to have any input to the Review may be missed.

9 Implications

Resources:	Financial, staffing, land/building implications <ul style="list-style-type: none"> There are no specific resource implications arising from this report.
Legal and Governance:	Legal implications including regulations/law under which proposals are required/permitted and constitutional provisions <ul style="list-style-type: none"> These are set out in The Charter for Social Housing Residents Social Housing White Paper (https://www.tpas.org.uk/the-white-paper) These are set out in the Regulatory Standards (https://www.gov.uk/guidance/regulatory-standards).
Risk:	Risk implications, including any mitigating measures planned/taken, health and safety, insurance implications <ul style="list-style-type: none"> There are no specific resource implications arising from this report.



Equality:	<p>Implications for equality (all aspects and characteristics) including how meeting Equality Duty, equality impact assessments</p> <ul style="list-style-type: none"> The review will develop refreshed and strengthened methods of tenant involvement, engagement and participation which will help to address inequalities and challenge the stigmatisation of tenants.
Health and Wellbeing:	<p>Implications of the proposals on health and wellbeing of our communities</p> <ul style="list-style-type: none"> There are no specific health and wellbeing implications arising from this report
Social Value	<p>Implications for social value and how the proposals are meeting this (for e.g. employment of local traders, young people)</p> <ul style="list-style-type: none"> There are no specific social value implications arising from this report

10. Appendices

Appendix 1. Proposed Engagement Model

Appendix 2. Governance Structure

Appendix 3. Draft Cllr Representative Role Description

Appendix 4. Draft Terms of Reference

11. Background Papers

- The Charter for Social Housing Residents White Paper – November 2020 <https://www.tpas.org.uk/the-white-paper>
- Successful Scrutiny for Council Tenants – Tpas 2020
- The National Tenant Engagement Standards – Tpas 2020
- Regulatory Standards - <https://www.gov.uk/guidance/regulatory-standards>
- Green Paper, A New Deal for Social Housing 2018
- Responses to the Grenfell Fire and Report from Dame Hackitt (May 2018)

