

CIH's response to the Regulator of Social Housing (RSH) on their proposed Tenant Satisfaction Measures and draft Standard has been shaped by consultation with members and partners, including input from tenants. The submission below records the responses made via the RSH's online survey.

Q1. Do you agree the proposed TSM standard:

- a) Sets clear expectations for registered providers? (If you disagree, please explain/ provide alternative suggestions)**

Agree.

- b) Supports the regulator in ensuring that TSMs provide tenants with greater transparency about their landlord's performance (one of the aims of the white paper)?**

Agree.

Overall, the TSMs will encourage transparency about landlord performance across the main areas of concern and importance for tenants. Consistency of reporting over time will enable tenants to see where improvements are being made or where further progress is required. As it is not easy for tenants to move home and landlord when dissatisfied, the TSMs' role in highlighting areas of concern and progress on actions to improve those services by landlords will arguably be as important as comparison across/ learning from other landlords.

The regulator has acknowledged that the TSMs will be one source of information to inform their assessment of performance and regulatory assurance on consumer standards. However, it would be useful to know more detail about how the regulator will use the information, and its expectations of how landlords themselves will use the information to drive improvements and increase accountability to tenants. CIH would argue that landlords as well as the regulator can use the TSM collection and reporting positively and as a 'can opener' to focus on areas where improvements are clearly indicated by tenants' satisfaction levels. However, this focus could be distracted if the reporting and publishing is not used carefully or as a blanket/ league table style approach.

Q2. We are proposing to introduce two TSMs about timeliness of repairs (RP02 Repairs completed within target timescale; TP03 Satisfaction with time taken to complete most recent repair). Do you agree that both RP02 and TP03 should be used to measure timeliness of repairs?

Agree.

In the context that landlords can set different timescales for completion of repairs, it is important to understand if tenants are also happy with the timeliness of repairs, and that the timescales are clearly reported to give the context and enable comparison. It is a straightforward measure, but it risks potentially missing other factors about repairs that also matter to tenants, such as ease of reporting repairs; repairs completed at first visit; if the operative was polite/ on time/ left their home clean and tidy etc.

Q3. There are four proposed TSMs under the theme of Keeping Properties in Good Repair (RP01 Homes that do not meet the Decent Homes Standard; RP02 Repairs completed within target timescale; TP02 Satisfaction with repairs; TP03 Satisfaction with time taken to complete most recent repair). Overall, do you think they give a well-rounded view of performance under this theme? Please tell us if you have any comments on any of the individual TSMs under the theme of Keeping Properties in Good Repair.

Yes, a reasonable picture of performance on repairs can be gained from these measures, with the caveat that target timescales, whilst measurable, do not necessarily pick up issues that matter to tenants in terms of quality of the service.

Q4. Do you agree with the proposal to use the individual homes for which the relevant safety checks have been carried out as the basis for the following Maintaining Building Safety TSMs: BS01 Gas safety checks; BS02 Fire safety checks; BS03 Asbestos safety checks; BS04 Water safety checks; BS05 Lift safety checks?

Agree.

Q5. There are six proposed TSMs under the theme of Maintaining Building Safety (BS01 Gas safety checks; BS02 Fire safety checks; BS03 Asbestos safety checks; BS04 Water safety checks; BS05 Lift safety checks; TP04 Satisfaction that the home is well maintained and safe to live in). Overall, do you think they give a well-rounded picture of performance under this theme?

Disagree

We note that electrical safety has not been included as it is currently under government consultation; however, many tenants reasonably expect this to be part of the suite of safety measures, and in CIH's previous consultation with its members for the social housing green paper, 79 per cent agreed that there should

be a requirement to undertake electrical checks every five years (and many landlords are already doing so).

TP04 asks two questions in one; whilst that helps to address the length of the survey, it lacks clarity and potentially constraints a full response; being well maintained goes beyond fundamental safety measures that should be a minimum expectation and legal requirement.

Q6. Do you agree with the proposal that TP11 Satisfaction with the landlord's approach to handling of complaints is measured by a perception survey?

Agree.

We agree that the question should focus on the process of making a complaint and how it is handled. Asking this question through a perception survey will dilute the usefulness of it to support landlords' action to improve where tenants are not satisfied; information to achieve this will be more effectively collected through transactional surveys. However, it is important as part of the overall aim of the TSMs that, with a function as important as complaints, satisfaction should be measured and reported. Whilst the response scale enables tenants to indicate don't know/ not applicable, it might be clearer if a preceding qualifying question was asked (have you made a complaint, yes/no) and then the satisfaction question posed where the answer is yes, as with repairs. Whilst this is likely to make the answer less statistically robust for comparison, it will at least be clearly based on experience.

Q7. There are four proposed TSMs under the theme of Effective Handling of Complaints (CH01 Complaints relative to the size of the landlord; CH02 Complaints responded to within Complaint Handling Code timescales; TP11 Satisfaction with the landlord's approach to handling of complaints; TP12 Tenant knowledge of how to make a complaint). Overall, do you think they give a well-rounded picture of performance under this theme?

Disagree.

The number of complaints relative to size of landlord will not only depend upon service quality but also ease of access and whether the landlord has an open and learning culture in response to complaints. Some will have a high number because they actively seek to enable customers to comment on services and make complaints to ensure that they listen to tenants, learn and are responsive. Others will see it as a formal process to be used as a last resort. As such it will not

adequately fulfil the objective of enabling the regulator or tenants to gauge the culture and responsiveness of the landlord's service. As well as knowledge of how to make a complaint, questions such as: would you be happy to make a complaint; how easy is it to make a complaint, may better capture what matters.

We agree with CH02 and TP12.

Q8. There are three proposed TSMs under the theme of Respectful and Helpful Engagement (TP05 Satisfaction that the landlord listens to tenant views and acts upon them; TP06 Satisfaction that the landlord keeps tenants informed about things that matter to them; TP07 Agreement that the landlord treats tenants fairly and with respect). Overall, do you think they give a well-rounded picture of performance under this theme?

Yes, however ...

TP05 is two questions in one; again, whilst helping to address the length of the survey, this may limit a full and useful response. We agree that it is important to measure if/ how well landlords are responding to and acting upon what tenants tell them, but that should also include landlords providing a full and clear explanation of why some decisions might not be in line with tenants wishes, and that is not easily reflected in this question/ suite of questions. These all really aim to gauge the relationship between tenants and landlord and the level of/ building of trust, which is very important, and part of the overall objective of the white paper to encourage stronger accountability to tenants.

Q9. For the TSM relating to satisfaction with the neighbourhood, we have presented a lead proposal and an alternative option. Do you agree with the lead proposal that TP09 is Satisfaction that the landlord makes a positive contribution to neighbourhoods?

No, we prefer the alternative option for TP09 which is satisfaction with your neighbourhood as a place to live.

We recognise that the lead suggestion is aiming to focus on the landlord's responsibilities and contribution, rather than the roles of other key agencies including the local authority (in its general services). Both wordings will require landlords to communicate effectively with tenants about the scope of their powers to make changes to the neighbourhood. However, using the broader wording recognises that landlords are working, and need to work, in partnership with other

agencies to support communities and neighbourhoods, and may in turn be useful for landlords' influence within those partnerships.

Some respondents are unsure that this question can be effectively measured and argue for its removal. However, neighbourhood is clearly an important factor for tenant satisfaction and the white paper is also explicit about its importance, so we think it should be included. Context will be critical, given the difference in neighbourhoods for landlords with inner city estates and older properties compared to rural areas for example. How the RSH (and landlords) will use, publish and present the information will matter here; arguably this indicator is more useful to tenants, landlords and RSH by tracking trends over time within the individual landlord's performance rather than comparison across very dissimilar organisations.

Q10. Do you agree with the proposal that TP10 about satisfaction with the landlord's approach to handling of anti-social behaviour is measured by a perception survey?

Agree.

The argument for or against using a perception survey for this question is similar to that with complaints handling (question 6 above). We recognise that landlords are still likely to need to use transactional surveys to collect detailed information that can help them to improve their service. However, given the scope of anti-social behaviour and its impact on wider communities as well as those experiencing it directly, we think this should be included, although with a preceding qualifying question, as with repairs.

We are concerned about the inclusion of domestic abuse and hate crime cases within the broad measure for ASB; these are sensitive issues and CIH upholds good practice in dealing with these separately from ASB.

Q11. There are four proposed TSMs under the theme of Responsible Neighbourhood Management (NM01 Anti-social behaviour cases relative to the size of the landlord; TP08 Satisfaction that the landlord keeps communal areas clean, safe and well maintained; TP09 Satisfaction that the landlord makes a positive contribution to neighbourhoods; TP10 Satisfaction with the landlord's approach to handling of anti-social behaviour). Overall, do you think they give a well-rounded picture of performance under this theme?

Yes.

We agree overall with this suite of TSMs, although the usefulness of NM01 needs also to be qualified by the landlords' operational context as well as size (inner city/ rural etc) and the scale of its properties within those areas.

We welcome the focus on communal areas in TP08; this is an area of importance to tenants that has not historically had sufficient attention.

Q12. Number of TSMs

a) Please tell us your views on the number of TSMs

There are too many TSMs in the suite.

In terms of best practice for surveys, this is rather long and risks tenants disengaging or dropping out without completing it. However, the feedback overall is positive in terms of covering areas of concern and priorities for tenants.

b) Do you think there are any TSMs that should be added to or removed from the final suite of TSMs?

CH01, number of complaints relative to size, is problematic as it stands and may need significant refinement to be useful; potentially this could be removed.

TP10 and TP11 (satisfaction with the landlord's approach to handling ASB and complaints) might arguably be collected more effectively through transactional surveys; however, these are significant areas for tenants so it is important for the regulator to monitor. If not collected through the tenant perception survey, RSH could require how transactional surveys should be worded and collected for landlords to aggregate and report on that, but this would increase the burden for landlords, which is why overall we agree with this approach by the regulator.

Feedback from discussions between landlords and tenants highlights the absence of measures such as energy efficiency and electrical safety; we acknowledge that these may be addressed by measures following the government's review of the Decent Homes Standard but it would be helpful to have clarity on this.

c) Overall, do you think the suite of TSMs works well as a whole in providing rounded information to tenants about their landlord's performance?

Overall, we think it works and covers key issues.

Q13. Chapter 9 of the consultation document covers some general requirements that apply to all TSMs, which are addressed in more detail in Annex 2 Tenant Satisfaction Measures: Technical Requirements. These include how providers should collect and report the TSMs, the types of homes that should be included, as well as the time period over which data should be reported. Do you agree with these proposals?

Overall yes, although several organisations have reported that this will impact on its systems and processes to meet the requirements.

Q14. We propose to allow providers to choose the most appropriate survey collection method (e.g., postal, by phone, online etc.) to obtain data for the tenant perception measures TP01-TP12. Do you agree with this proposal?

Disagree

We think that the regulator, in taking this approach, has been mindful of the diversity of organisations within the sector, and also good practice in terms of enabling landlords to engage with tenants by their preferred method of communication, which is important.

It is, however, the issue that has caused most concern and discussion in our consultation with members and partners. Having a single method of collection would provide a stronger basis for comparison and seem to provide a fairer reflection of respective landlords' performance. It is important that the system is seen as fair to ensure that landlords comply appropriately.

However, collection methodology is only one of many variables that will impact on how well landlords are seen to perform through this process, as the regulator has acknowledged in guidance for sampling etc. If the suggested approach of flexibility is maintained, clear messages acknowledging the limitations and benefits, from both landlords and RSH, to tenants and other stakeholders (councillors, MPs, media, etc) will be critical to manage misapplication of the data, particularly until it becomes clear how it is used and a familiar part of the regulatory process.

Q15. Chapter 10 of the consultation document covers some requirements that apply to the TSMs which are tenant perception measures (TP01-TP12). These requirements are addressed in more detail in Annex 3 Tenant Satisfaction Measures: Tenant Survey Requirements. The requirements include survey type, survey timing, response options and who is to be surveyed. Do you agree with these requirements?

Agree with caveats on some TSMs as indicated above.

Q16. We propose to tailor our TSM requirements for registered providers that own fewer than 1,000 relevant homes. This includes not requiring them to submit TSM data to the regulator, allowing them to collect and report TSMs annually according to a reporting year other than 1 April to 31 March and allowing them to undertake a census tenant perception survey. Do you agree with this approach?

Agree.

This is in line with the regulator's approach across its governance and economic standards. However, some feedback from landlords' discussion with tenants has raised the question whether 1,000 homes is an appropriate cut off point as it means potentially a lot of tenants could experience poor service without oversight

and intervention. Many supported housing providers are small, and this would be a potential loophole for poor services for tenants within such schemes; in the light of some emerging practices in this sub-sector, tenants and landlords have concerns about this.

Q17. Chapter 13 of the consultation document covers our proposed guidance about the submission of information to the regulator in relation to the TSMs, which is set out in more detail in Annex 4. This includes generally not using TSM information as a source of regulatory intelligence in isolation, but rather as information we may take into account alongside other sources. Do you agree with this proposed approach?

Agree.

It is important however, that tenants, having engaged in this process, do feel that both their landlord and the regulator value and will act upon the evidence that this process reveals. How landlords and the regulator report on action consequent upon this process will be influential in building trust that has value and benefits tenants.

Q18. Do you agree with our conclusions in the draft Regulatory Impact Assessment?

No comment

Q19. Do you agree with our conclusions in the draft Equality Impact Assessment? The regulator particularly welcomes views on whether the proposals will have a positive or negative impact on people who share one or more protected characteristics (as set out in the Equality Act 2010).

Agree, but a review following implementation will be needed to take stock of any necessary adjustments.

Q20. Finally, if you have anything else that you would like to tell us about the proposals relating to the TSMs, including the detailed requirements set out in Annexes 2 and 3, please tell us.

CIH welcomes the TSMs and the opportunity it presents for the sector to ensure that tenants are at the heart of their services; that they value and listen to tenants' feedback, and that both tenants and landlords benefit with the improvement in services that can result. Overall, we think that the regulator has achieved a reasonable balance to meet its objectives, and we welcome the proposal that this will be reviewed when the consumer standard is introduced. There is a risk that performance measures will be used without the necessary nuance and context (for example in media), but how the regulator itself, and landlords manage the use of the data in discussion with tenants, stakeholders etc will be important to mitigate that. This needs to be used collectively by the sector

in a positive way to focus attention and build strong and effective relationships with tenants.

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