

1. Summary

On 19 September 2017, in the wake of the Grenfell tragedy, Sajid Javid announced the Government's intention to publish a Green Paper on Social Housing. To shape the paper, Ministers met with almost 1,000 residents of social housing at events across the country and the department also reviewed 7,000 online contributions.

The Green Paper ([A new deal for social housing - GOV.UK](#)) was published on 14th August 2018 and the Government sees it as representing 'a fundamental shift in the state's approach to social housing and the people who call it home' (which for the purposes of the paper include tenants, leaseholders and shared owners). The paper sets out five principles, which it says will underpin a 'new, fairer deal for social housing residents', and dedicates a chapter to each i.e.:

- a safe and decent home which is fundamental to a sense of security and the ability to get on in life;
- improving and speeding up how complaints are resolved;
- empowering residents and ensuring their voices are heard so that landlords are held to account;
- tackling stigma and celebrating thriving communities, challenging the stereotypes that exist about residents and their communities; and
- building the social homes that we need and ensuring that those homes can act as a springboard to home ownership.

The paper is trailed as kick-starting a national conversation about the future of social housing. As such, it seeks views on a range of ideas, rather than setting out firm policy proposals. However, two policy announcements are included i.e.:

- confirmation that the Government will not bring the Higher Value Void Assets provisions of the Housing and Planning Act 2016 into effect;
- the decision not to implement 'at this time' provisions in the Act to restrict the use of lifetime tenancies by local authority landlords.

A major focus of the paper is on strengthening regulation, and a call for evidence has been published, as a first step to a full review of the regulatory approach ([Review of social housing regulation: call for evidence - GOV.UK](#)).

Much of the section on expanding supply refers to existing initiatives/funding rather than putting forward new proposals. However, in speeches to the Conservative Party Conference and to the National Housing Federation, the Prime Minister has subsequently announced the Government's intention to remove the HRA debt cap and its commitment to additional Affordable Housing Programme funding to 2028. The Government has also consulted separately on potential flexibilities over the use of RTB receipts ([Use of receipts from Right to Buy sales - GOV.UK](#)).

The Green Paper includes a set of 48 questions relating to the above principles and invites responses to be submitted by 6th November 2018.

2. Chapter 1: Ensuring homes are safe and decent

The paper refers to recommendations regarding tenant involvement arising from Dame Judith Hackitt's independent review of building regulations and fire safety. These include giving residents information about building safety and having a resident engagement strategy that sets out arrangements for information-sharing and engagement on safety issues. Proposals in the Green paper include:

- accelerating implementation of these recommendations in the social housing sector;
- developing a new programme to support residents to engage with landlords on safety issues;
- establishing a pilot with landlords to trial options for engaging with residents on safety issues.

The Government wants to use the Green Paper to consider a review of the decent homes standard, which social landlords are required to meet through the regulatory framework. Areas to be considered are:

- whether the decent homes standard is demanding enough and reflects Government priorities;
- whether safety measures that now apply to the private rented sector, covering smoke and carbon monoxide alarms, should also be applied to social housing;
- whether the energy performance of social homes should be upgraded to Energy Performance Certificate Band C by 2030 wherever practical/affordable.

Whilst a review of the standard can be seen as a positive step, particularly in respect of resident safety, any enhancement could have significant financial implications for council housing business plans. The paper is silent on long term financial support to councils to invest in a higher decent homes standard, for example through more flexible borrowing or a specific grant programme.

3. Chapter 2: Effective resolution of complaints

The paper recognises that residents must be able to access good complaints processes as well as swift and effective redress through the ombudsman where appropriate. It reports that residents raised concerns that complaints processes are opaque and too slow and that in some cases that they feared the consequences of making a complaint.

The Government wishes to consider what should be done specifically to improve the current complaints process for social housing residents and seeks views on the following:

- removing barriers to redress - strengthening local mediation for disputes and assessing the value of the requirement for a designated person (either a tenant panel, MP or councillor) to consider a case before it can be escalated to the Ombudsman;

- supporting residents to raise complaints - raising awareness of complaint processes and improving tenants' access to advocacy and support;
- speeding up the complaints process – introducing a Code of Practice incorporating specific timescales and having an effective route for escalating safety concerns.

4. Chapter 3: Empowering residents and strengthening the Regulator

This chapter starts with the premise that for residents to be empowered, they need good information on how their landlord is performing and assurance that their landlord is being assessed against meaningful standards.

To this end, the paper signals a clear intention on the part of the Government to move towards a more stringent regulatory framework for the social housing sector. It also re-opens the debate about providing more choice for social housing residents.

Key proposals or areas for consideration in this chapter include:

- requiring landlords to report key performance indicators to the Regulator, who would publish the information, potentially in the form of league tables;
- measuring satisfaction by asking whether residents would recommend the service to friends and family;
- introducing financial incentives and penalties linked to performance (e.g. access to social housing grant funding);
- reviewing the effectiveness and regulation of current resident engagement and scrutiny measures;
- reviewing and enhancing the regulation of the consumer standards, including the introduction of a Code of Practice;
- enabling the Regulator to take a more rigorous and proactive approach to regulation, strengthening its intervention and enforcement powers;
- potentially giving the Regulator greater scrutiny and enforcement powers over local authority performance and governance;
- exploring options for offering alternative structures to give residents more control and choice – including consideration of a new stock transfer programme to promote the transfer of local authority housing to community-based housing associations; new governance structures that promote resident leadership; supporting residents to take on some services; and allowing them to select from a list of approved contractors.

The proposals have raised concerns in the housing sector regarding both the effectiveness of a national performance regime as a basis for assessing the quality of services and the difficulties in achieving standardised performance measurement and reporting.

Since 2010, the Council's housing services have been subject to a light-touch approach to regulation by the Regulator and the Council has embraced the principles of co-regulation with residents at the local level. Although the paper asks whether engagement and scrutiny arrangements are effective, it does not put forward the option of strengthening scrutiny and co-regulation as an alternative to increasing the powers of the Regulator.

The proposed regulatory review and the renewed focus on options for giving residents more control over services are both likely to lead to increased requirements on the Council, with associated resourcing implications to support compliance with any revised frameworks.

5. Chapter 4: Tackling stigma and celebrating thriving communities

Stigma and stereotyping was the most consistent theme raised by residents at the engagement events. Residents told ministers that politicians and the media have contributed to the problem with negative language. Others said they were treated with contempt by their landlord.

The paper says that the Government is determined to tackle this prejudice and ensure the positive contribution of social housing residents is recognised.

The Government asserts that proposals within the paper to rebalance the relationship between residents and landlords, along with proposals to increase supply, will contribute to changes in attitudes over time. Additional proposals at the national level to help celebrate communities are limited to:

- awards that recognise the best neighbourhoods, incorporating investment in supporting successful initiatives or funding for events (e.g. street parties);
- sharing positive stories about social housing residents through national campaigns.

At a local level, the focus is on ensuring landlords embed good customer service and neighbourhood management and on the design of new social housing. Views are sought on:

- professionalising the housing management sector (e.g. via qualifications);
- introducing key performance indicators to measure whether landlords are providing good neighbourhood management and their work with partners to tackle ASB;
- reporting by landlords on the social value they deliver (e.g. through financial inclusion, community and employment initiatives);
- promoting good design of new affordable homes to ensure they are of the same quality as other tenures and well-integrated within developments.

Whilst the ambition to tackle the stigma that some residents feel is to be welcomed, there is a lack of acknowledgement within the paper of the complexity

and underlying causes of this issue. A number of commentators have questioned whether the ideas set out above go far enough to address the problem.

6. Chapter 5: Expanding supply and supporting home ownership

This chapter starts by referring to existing plans and targets to increase national housing supply, as set out in the Housing White Paper *Fixing our broken housing market*. It goes on to recognise there remains a long term need for social housing and acknowledges that social housing provides a stable base that supports people when they need it. The Government is also committed to 'extend the opportunity of home ownership to as many social tenants as possible'.

The first section sets out how the Government will support authorities to build more by:

- allowing those councils who bid successfully to borrow more through its additional HRA borrowing programme;
- exploring new flexibilities over how councils spend Right to Buy receipts - this is the subject of a separate consultation paper;
- not requiring councils to make a payment in respect of their vacant higher value council homes.

The paper itself did not commit new investment beyond the £1 billion in additional borrowing headroom that was already the subject of a bidding round. However, the Prime Minister has subsequently announced the Government's intention to remove the HRA debt cap at the Conservative Party conference.

Other elements contained within this chapter are:

- unlocking additional supply through local housing companies – with the caveat that where they are used to provide affordable housing, they should offer an opportunity for tenants to become homeowners;
- boosting community-led housing, overcoming barriers to developing new community-owned homes and supporting resident-led regeneration;
- investigating how to provide longer term funding certainty to help housing associations build more, building on the eight 5-year strategic partnerships announced in July (no additional grant funding is proposed);
- ensuring existing social housing is used efficiently for those who need it most – the paper seeks views on a review to understand social housing allocations, and confirms council flexibility on fixed-term tenancies;
- pressing forward with the large scale pilot of the voluntary RTB and 'portable discount' for housing association tenants;
- developing new shared ownership products and removing barriers that prevent shared owners from building up more equity in their homes (e.g. by reducing the minimum percentage 'stair-casing' requirement).