

Provision of information to tenants: Direction to the Social Housing Regulator on tenants' rights and complaints

Introduction

Councils with ALMOs Group (CWAG) represents stock owning local authorities where council housing is managed by ALMOs. There are currently eighteen local authority members managing around 215,000 properties across England. CWAG is a Special Interest Group of the Local Government Association.

General Comments

The proposed Direction to the Regulator of Social Housing involves a statutory requirement that registered providers of social housing provide their tenants of low-cost rental accommodation with information about their tenants' rights and how to make a complaint against their landlord.

In our view these proposals duplicate other arrangements already in the RSH Consumer Standards and Ombudsman Statutory Complaints Handling Code. Overlaying a further set of very similar requirements and additional reporting that duplicate these arrangements will add to the complexity of the arrangements, regulatory burden and costs whilst providing little in the way of additional or new information for tenants.

Diverse Needs

Paragraph 38 and 41 of the consultation require the landlord to tailor communications to 'the specific tenant' including 'ensuring that all tenants are able to access information about their rights in a way that they understand, without barriers to comprehension'. In our view the arrangements set out in the Transparency, Influence and Accountability Standard under 'Diverse Needs (Para 7.4 – 7.7 and related Specific Expectations) cover the key principles already. However, it isn't entirely clear whether the intention here is to go beyond what is proposed in the consumer standards, if so this would require a level of detailed bespoke household information necessitating new resource intensive arrangements to be set up.

Questions

Question 1: Do you agree with the requirements in 3(1)(c) and (d) of the draft direction (Annex B) for registered providers to provide tenants with information on how to make a complaint about their landlord and about their landlord's complaints policy and complaints handling process?

We believe this direction is unnecessary as this information is already provided to tenants. Moreover, the new Statutory Ombudsman Complaints Handling Code includes detailed requirements with which all social landlords must comply which deal in detail with ensuring tenants understand how to make a complaint against their landlord and how complaints are handled. These arrangements are further reinforced by the new Consumer Standards and relevant TSM, due to be introduced from April next year.

Question 2: Do you agree with the approach to the direction on the provision of information on tenants' rights and regulatory requirements, as set out in paragraphs 32-42?

We agree that tenants need to be aware of their rights and the relevant regulatory requirements but believe that the measures already introduced as part of the 'Transparency, Influence and Accountability Standard' will achieve this. Adding a further set of regulatory requirements will add bureaucracy, complexity and costs whilst bringing little additional clarity for tenants.

Question 3: Do you agree that the rights and regulatory requirements included in 3(2) of the draft direction (Annex B) are appropriate?

Agree - the information specified in 3(2) of the draft direction (Annex B) relating to regulatory requirements that registered providers must meet is appropriate and should be made available to tenants.

Question 4: Do you agree with the likely costs associated with meeting commitments associated with the new requirements, as summarised in our assessment of the impact on the sector?

The methodology outlined in the consultation document is only useful up to a point in evaluating the additional costs involved. Landlords are committed to providing information to tenants, but the measures outlined are likely to require separate communications outside of established communication cycles and therefore will inevitably increase costs adding unnecessarily to already stretched resources and budgets. We believe most of this information is already provided to tenants through established channels and new and additional information requirements can best be accommodated using existing arrangements.

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