

Consultation on a direction to the Regulator of Social Housing to set a Competence and Conduct Standard for social housing

About us

The Northern Housing Consortium (NHC) is a membership organisation based in the North of England. We are the 'Voice of the North' working with councils, housing associations and ALMOs to develop insight, influence and solutions to create better homes and places.

The NHC continues to work with professional bodies, as well as the Government, to discuss possible solutions on improving housing standards.

Summary

The NHC supports the drive to improve the experience of tenants. Throughout the sector there are committed and professional people working hard to deliver high quality services for tenants. This new standard will support staff in the housing sector to build the skills to do this effectively and will play an important role in bolstering the new, strengthened, regulatory framework.

However, it is important to stress that qualifications and training are no substitute for building cultures and customer service which place tenants and residents at their heart. We would therefore expect to see qualifications and training designed which will enable this – involving tenants and residents in co-designing appropriate modules. It is critical that the focus of the Government's professionalisation work is on the outcomes seeking to be achieved with and for tenants, rather than a narrower focus on simply completing qualifications.

While we support the introduction of the new Standard, and the qualification requirements within it, following engagement with our membership we have several concerns around its planned implementation.

1. Most importantly amongst these, we do not believe that the proposed timelines are realistic and believe that housing providers are likely to require a transition period to implement the Standard of at least 36 months.
2. There are also concerns within our membership about the requirement for staff to spend eight hours per week on training to meet the requirements set out in the Standard, especially for smaller providers.

These training requirements, twinned with relatively short deadlines for implementation, risk some providers being without the required skills and knowledge capacity to deliver expected service levels to residents for periods of time. Additional flexibility around the timescales for implementation of these proposals would ensure that housing providers can appropriately plan training programmes around capacity and service requirements.

3. Our members are disappointed that the proposals do not give any weight to prior experience or knowledge attained on the job. Many people working in the housing sector, especially those at senior levels, have done so for many years, gaining immeasurable experience and knowledge relevant to their role. It is disappointing that this experience is not granted any weight in these proposals.

We and our members strongly support the idea that members of staff who already have relevant qualifications should be able to take 'top up' modules rather than carrying out full courses, or be permitted to stagger their learning over a longer period of time. This idea should also be extended to members of staff that have extensive prior experience within the housing sector to reduce the impact of these proposals on the delivery of core services, and help mitigate any risk of these proposals leading to increasing numbers of staff leaving the sector.

In addition, efforts to promote continuous improvement will only succeed if social housing providers have the resources to invest in their staff and a programme of professional qualifications should be appropriately funded. Government must have a clear understanding of the impact of these proposals on housing provider budgets, and provide proportionate levels of funding support, prior to implementation.

4. Finally, these changes must be viewed in the context of a housing sector that has long-standing issues relating to staff recruitment and retention. It is critical that these proposals are implemented in a way that does not make it more difficult to retain existing staff or attract employees to new careers in the housing sector. Members have already told us that they are seeing some members of staff reassessing their career and retirement plans in light of these proposals making their job more difficult, and the housing sector a less attractive sector to work in. This is especially important for more senior members of staff who cannot be easily replaced.

We support the longer-term commitment to learning among social housing professionals but monitoring of the long-term impact will be necessary to ensure that the implementation of these proposals do not exacerbate retention and recruitment issues within the sector.

Questions

Question 1 – Do you agree with the content of the direction (Annex A) to setting the broad Standard relating to the competence and conduct of all social housing staff?

Yes.

We believe that further professionalising the housing sector to promote professional and ethical standards among those delivering housing services is a positive development that will ensure a professional workforce and benefit residents.

The implementation of these measures will need to achieve a careful balance – where high standards are met and training provides clear pathways for professional development – while not hindering housing professionals from carrying out their responsibilities effectively alongside training. It is vital that this is not overly burdensome to the point where the sector becomes less attractive as a place to work.

Question 2 – As set out in paragraphs 15a and 46b of the policy statement, do you agree that only individuals who have a substantive role in managing delivery of housing management services should be in scope of the qualification requirements?

Yes.

We believe that there is a need to continually develop housing staff in senior roles to ensure that they have the right knowledge, skills, behaviours and ethical framework to make sure that no tenant receives a service from their landlord that is deemed to be unprofessional.

Requirements placed on social housing managers in relation to mandatory qualifications and expertise will have to be introduced thoughtfully and in a timely way. It is important not to exacerbate existing challenges in the sector, such as those around recruitment, retention and diversity.

We would support the introduction of a period of monitoring the impact of these requirements following their introduction, including engagement with staff responsible for delivering housing management services, to ensure that they are not adversely impacting their ability to carry out their responsibilities effectively, retain existing staff and attracting new entrants to the sector.

Question 3 – Do you agree with the guidance on the scope of housing management services (paragraphs 1-3 of Annex B1)?

Yes.

Question 5 – Do you think that there are any other functions not listed above which should be in scope?

No.

Question 6 – Are there any functions listed above that you think should not be in scope?

No.

Question 8 – Do you agree with the proposal outlined above that individuals must have been in their role for more than six months to be classed as a Relevant Person or Relevant SP Manager (except where they are subject to a probationary period) as detailed in paragraph 15c, 46d and 46e of the policy statement?

No, the threshold should be above six months.

While we support the aim of increasing professionalisation within the housing sector, the implementation of any such changes will have to be manageable for housing providers and their staff to fit around their existing responsibilities.

‘Relevant persons’ will be expected to take substantial time away from their core responsibilities to complete the required qualifications, reducing capacity within their teams. Especially in smaller organisations, there may only be a small number of individuals working within certain teams or with certain skillsets. Housing providers are concerned that in a situation such as this, that the requirements for individuals to

carry out eight hours of training per week would reduce the capacity to deliver services to tenants, and in some instances leave some teams without certain knowledge or skillsets for periods of time.

Extending the period in which individuals must have been in their roles prior to being classed as a 'Relevant Person' would allow housing providers to more appropriately stagger training and better align training programmes with capacity within their teams and the requirements of the day-to-day job.

Question 9 – Do you agree with the proposal that those staff who have a probation period should have, or be working towards, a qualification within nine months from the point at which they take up their role in paragraph 15d and 46f of the policy statement?

No, please explain why and your alternative suggestion.

For the reasons laid out above, our members believe that an extension of this period to 12 months would better ensure the effective delivery of service to tenants and allow training programmes to better align with day-to-day responsibilities.

Question 10 – Do you agree with our proposal that unpaid volunteers should not be required to gain a relevant qualification as detailed at paragraphs 15b and 46c?

Yes.

Question 13 – As outlined in Section 3.1 of the policy statement, do you agree that a level 5 qualification or a foundation degree is the correct level for a senior housing executive?

Yes.

Question 14 – Do you agree with our proposals outlined above and in section 3.4 of the policy statement that qualifications can be regulated by an equivalent body to Ofqual or predecessor body?

Yes.

Question 15 – Do you agree that the criteria that qualifications must meet as set out in section 3.2 of the policy statement is appropriate for ensuring senior housing managers and senior housing executives gain the skills, knowledge, experience and behaviours they need to deliver high quality and professional services to tenants?

No - for both manager and executive level.

There are concerns within our membership that the course content requirements are overly prescriptive and, in some cases, have limited relation to individuals' roles. For example, enrolling employees whose role focuses on repairs on a generic housing management course would mean that they learn areas of housing management such as how to draft a lettings policy or tenancy agreement. Our members believe that this would be of little benefit to employees or residents, and that qualification requirements should be much more focused on the individual requirements of each role.

It must also be stressed that every pound spent on training is a pound not spent on core services, improving properties or building new homes, while housing providers currently face substantial financial demands across all of these areas. In such a context, any additional spending requirement, such as expanded training programmes, must aim to maximise value for money and be closely aligned to the job responsibilities for each role.

Many of our members have also expressed disappointment that these proposals do not give any weight to years served and experience and knowledge gained from working in the sector. This is especially the case for senior executives, many of whom will have worked in the sector for many years. Members have already reported that these proposals, especially given the extensive weekly training requirements and short transition time, are making employees, including senior staff, reconsider their career and retirement plans. It is critical that these proposals do not exacerbate the sector's ongoing issues with retention and recruitment, especially for the most senior housing professionals who cannot easily be replaced.

Granting greater weight to previous experience, such as allowing those with more than a certain level of experience to complete 'top up' modules, or a more staggered approach to learning, would reduce the amount of time that some members of staff must take away from their regular responsibilities and minimise the risk of these proposals adversely impacting staff retention and service provision.

Question 19 – Considering the costs and benefits outlined within the impact assessment, do you agree that all existing staff within the sector should have, or should begin working towards a relevant qualification within 24 months as outlined in section 4.1 of the policy statement?

No.

Our members have consistently told us that the 24-month requirement, as outlined in the proposals, is too short for them to effectively plan, budget and implement training programmes without having a detrimental impact on the services provided to tenants.

We believe that the proposals outlined should be implemented over an extended period of at least 36 months.

Question 20 – Do you have any additional comments or evidence about the potential impact of the policy proposals as assessed in our impact assessment (Annex C)?

Yes.

It is important to note that the completion of a qualification does not automatically mean that the practices, knowledge and behaviours outlined within a training course will be implemented in practice.

The Government needs to lay out in more detail what the outcomes are intended to be from these proposals beyond the completion of qualifications, how they can best demonstrate competence and conduct at their organisations is aligned with the Standard as part of the new regulatory framework, and how government and the sector will know that this has improved how the sector operates.

Question 23 – Do you agree with the proposal that an adjusted transition period (twice the amount of time) should apply to registered providers which provide fewer than 50 units of stock, and will also apply in relation to their services providers?

Yes.

Question 24 – Do you agree with the proposal as outlined above and described in section 3.6 of the Policy Statement that there should be transitional arrangements in place for those with partially relevant qualifications (which meet or exceed the requirements of the policy statement, but do not meet all the course criteria in section 3.2).

Yes.

Question 26 – Do you agree with our proposal as outlined above and described in section 3.7 of the policy statement that there should be transitional arrangements in place for those who have completed an apprenticeship programme without a qualification element provided they meet other criteria (as above)?

Yes.

Question 31: Are there any other bodies representing the interests of services providers that you think the Secretary of State should nominate as a body with which the Regulator must consult on the regulatory Standard in relation to these requirements, other than the National Federation of ALMOS and the National Federations of TMOs?

No.

Question 32 – Are there any other issues you want to raise, or anything you believe has not been considered in relation to proposals 16 and 17?

Concerns have been raised by some of our members as to what exactly their responsibilities are, and where their responsibility ends, with regard to contractors and service providers not directly under their control under proposal 16. Existing guidance uses relatively vague terms with relation to the expectations and responsibilities of housing providers ensuring that service providers and contractors are engaging and aligning with these proposals appropriately.

Our members would appreciate additional clarification as to what concrete actions they are required to take, what the expectation is regarding contractors and service providers, and the housing provider's role within that, and how any failure to align with these proposals by contractors or service providers will impact the housing provider.

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