

# CIH summary: the Regulator of Social Housing's consultation on the introduction of Tenant Satisfaction Measures



This paper provides a summary of the documentation introducing the draft Tenant Satisfaction Measures proposed by the Regulator of Social Housing (RSH). CIH will be responding to this important consultation, and has produced this summary to support members to get involved in shaping CIH's response. We have aimed to pull together the key proposals and points made, largely within a table of the draft TSMs below, but also in summarising context across all the documents for convenience (links are made throughout to the relevant papers within the suite of documents, for ease of reference).

We invite members to provide comment on any/ all of the measures and the questions posed in the consultation.

We are also running a member webinar on the TSMs, with a speaker from the RSH, at which members can hear more about the consultation and the Regulator's perspective on it. It will be an opportunity to discuss with RSH, CIH and other delegates, the impacts of the TSMs within the wider framework of consumer regulation. This will be held on 7th February - find out more and book onto CIH's masterclass series: [Tenant Satisfaction measures - shaping the way forward](#).

To provide comment and information for CIH's response, please contact [sarah.davis@cih.org](mailto:sarah.davis@cih.org) by 14 February 2022.

## Consultation on the introduction of Tenant Satisfaction Measures

The RSH has published its [consultation on the introduction of Tenant Satisfaction Measures](#) and accompanying annexs, including:

- [Annex 2 Draft Tenant Satisfaction Measures: technical requirements](#) and
- [Annex 3 Draft Tenant satisfaction Measures: Tenant Survey requirements](#)

It sets out 22 draft Tenant Satisfaction Measures (TSMs) across the five themes set out in [The Charter for social housing residents: the social housing white paper](#):

- Keeping properties in good repair
- Maintaining building safety
- Effective complaints handling
- Respectful and helpful tenant engagement
- Responsible neighbourhood management.

It proposes to collect 10 TSMs through landlord performance management information and 12 through a tenant survey to collate tenant perception of their landlord's services; this must be a survey for the purpose of informing the TSMs (not collected through transactional surveys), in order to ensure that the information provided is clear and comparable on quality of services across landlords, useful for tenants, the RSH and landlords themselves.



The RSH has set three tests for its new consumer regulation requirements:

- To make a meaningful difference to tenants
- To be deliverable by registered providers
- To be capable of regulation by the regulator.

In addition, TSMs should


- Have a clear link to the regulator's statutory objectives
- Be relevant - greater transparency for tenants and assurance of compliance for regulator
- Be accurate - ensure comparability of performance, be well defined and verifiable
- Be responsive - timely and measuring performance attributable to the registered provider
- Be deliverable - cost effective for RSH and providers, straightforward to collect (although the RSH acknowledges some landlords' systems are likely to require some adjustments to provide the information).

#### **Draft Tenant Satisfaction Measures Standard**

This is set out in [Annex 1](#). It will require all registered providers, including local authority landlords, to collect, publish and submit information on performance against the TSMs, including meeting the detailed requirements of the TSMs in Annex 2 and the tenant survey requirements in Annex 3.

Landlords will need to collect and submit the information within the timeframe and in the format required by the RSH. They will also need to publish performance against the TSMs with information on how they have met the requirements. Registered providers will need to ensure that the information submitted is accurate, reliable, valid and a transparent reflection of performance against the TSMs.

CQ1. Do you agree that the proposed TSM standard:

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

		Tenant perception survey wording to be required (More detail in Annex 3, including specified response options to be used in each case)	Additional comments (definitions and specific requirements for each TSM in Annex 2)	Stock the TSM applies to (see also * and Annex 2)	Relevant consultation question
<b>Overall satisfaction</b>					
	Proportion of respondents who report very or fairly happy with landlord's service overall	Taking everything into account, how satisfied or dissatisfied are you with the service provided by your landlord?		Low cost rental accommodation (LCRA)  Low Cost Home Ownership (LCHO)	
<b>Keeping properties in good repair</b>			Repairs central to tenants and most common point of contact with landlord - hence measured by both tenant perception survey and housing management information		CQ3. 4 TSMs are proposed. Overall, do you think these give a well-rounded view of performance under this theme? Please give any comments on any TSM under the theme of keeping properties in good repair, if you have any.

RP01	Proportion of homes that do not meet Decent Homes Standard			LCRA only	
RP02	Proportion of (non emergency) responsive repairs completed within provider's target timeframe during the reporting year		Providers will need to report their target timescale for context	LCRA only	CQ2. Do you agree that both RP02 and TP03 should be used to measure the timeliness of repairs?
TP02	Proportion of respondents who have received a repair in the last 12 months reporting very/ fairly satisfied	2 tenant survey questions: Has your landlord carried out a repair to your home in the last 12 months? Y/N If yes: How satisfied or dissatisfied are you with the repairs service over the last 12 months?	Timeliness of repairs an important measure that is transparent (with context of providers' timeframes), robust and comparable	LCRA	
TP03	Proportion of residents who have had a repair in the last 12 months: satisfaction with the time taken to complete their most recent repair	2 tenant survey questions: Has your landlord carried out a repair to your home in the last 12 months? Y/N If yes: How satisfied are you with the time taken to complete your most recent repair after you had reported it?		LCRA	CQ2 as above

<p><b>Maintaining Building Safety</b></p>			<p>Electrical safety checks under government consultation, therefore not included pending outcome</p>		<p>CQ5. There are 6 proposed TSMs under the theme of maintaining building safety. Overall, do you think they give a well-rounded picture of performance under this theme? Please tell us if you have any comments on any one of the TSMs under this theme.</p>
<p>BS01</p>	<p>Gas safety checks</p>		<p>BS01-05 number of individual homes for which relevant safety checks have been completed as proportion of all homes requiring safety checks/ served by communal or relevant parts requiring these safety checks. Includes those where 3rd party is responsible for safety check. If cannot demonstrate completed have to record as outstanding</p>	<p>LCRA and LCHO combined</p>	<p>CQ4 (relating to BS01-05) Do you agree with the proposal to use individual homes for which relevant safety checks have been carried out as the basis for these TSMs?</p>

BS02	Fire safety checks		Covers individual home and /or communal or other relevant part (If block of 100 flats had outstanding FRA, that would =100 homes without FRA).	LCRA and LCHO combined	
BS03	Asbestos safety checks			LCRA and LCHO combined	
BS04	Water safety checks			LCRA and LCHO combined	
BS05	Lift safety checks		LOLER (Lift operating and lift equipment regulations 1998) inspections reports for all communal lifts	LCRA and LCHO combined	
TP04	Proportion of respondents who report very/ fairly satisfied that their home is well maintained and safe to live in	Thinking specifically about the building you live in: How satisfied or dissatisfied are you that your landlord provides a home that is well maintained for you to live in?	Maintenance and physical safety of the home they live in rather than wider neighbourhood	LCRA LCHO	

<p><b>Effective Handling of Complaints</b></p>					<p>CQ7. There are 4 proposed TSMs under the theme of Effective Complaints Handling. Overall, do you think they give a well-rounded picture of performance under this theme? Please give any comments that you have about any of the individual TSMs</p>
<p>CH01</p>	<p>Complaints relative to size of organisation  1) Number of stage 1 complaints received per 1000 homes during the reporting year  2) Number of stage 2 complaints received per 1000 homes during the reporting year</p>		<p>Providers must adhere to the definition of 'complaint', 'stage 1' and 'stage 2' as set out in the Housing Ombudsman's Complaint Handling Code</p> <p>Total number of complaints not the sole indicator or performance; providers must ensure that they meet all the regulator's expectations on complaints, including those set out in the Tenant Empowerment and Involvement Standard.</p>	<p>LCRA  LCHO  Providers with under 1000 homes must be able to demonstrate a proportionate and rational approach to their decision (LCRA and or LCHO separate or combined) having regard to their stock profile</p>	

CH02	Complaints dealt with within the timescales of the Complaints Handling Code 1) Proportion of stage 1 complaints 2) Proportion of stage 2 complaints			LCRA LCHO (for providers with under 1000 homes, as above CH01)	
TP11	Proportion of respondents who report that they are very/ fairly satisfied with their landlord's handling of complaints	How satisfied or dissatisfied are you with your landlord's approach to complaints handling?	Measures of tenant perceptions through a tenants' perception survey more likely to meet minimum levels of statistical accuracy and valid comparison across landlords	LCRA LCHO	CQ6. Do you agree with the proposal that TP11 is measured by a perception survey?
TP12	Proportion of respondents who report that they strongly agree/ agree with the statement: ' I know how to make a complaint about my landlord if I am not happy with the service I receive'	To what extent do you agree with the following: I know how to make a complaint about my landlord if I am not happy with the service I receive?	Required to provide assurance that landlords are clearly and effectively communicating how to complain, and context for wider complaints TSMs	LCRA LCHO	



<p><b>Respectful and helpful engagement</b></p>			<p>'Engagement' used to get a sense of broader tenant perception of interaction rather than those actively involved with specific actions such as scrutiny</p>		<p>CQ8. There are 3 proposed TSMs under the theme of respectful and helpful engagement/ overall do you think they give a well-rounded picture of performance under this theme? Please give any comments that you have on any individual TSM under this theme.</p>
<p>TP05</p>	<p>Proportion of respondents who report that they are very/ fairly satisfied that their landlord listens to tenants' views and acts on them</p>	<p>How satisfied or dissatisfied are you with the extent to which your landlord listens to your views and acts on them?</p>	<p>Being listened to was a key theme of the white paper. 'acting on' is used rather than 'takes notice of' as it is important to capture a sense of whether landlords are taking action on feedback provided</p>	<p>LCRA LCHO</p>	
<p>TP06</p>	<p>Proportion of respondents who report that they are very/ fairly satisfied that their landlord keeps tenants informed about things that matter to them as tenants</p>	<p>How satisfied or dissatisfied are you with the way your landlord keeps you informed about things that matter to you as a tenant?</p>	<p>Important to gauge how well landlords provide information to tenants</p>	<p>LCRA LCHO</p>	
<p>TP07</p>	<p>Proportion of respondents who report that they strongly agree or agree that their landlord treats them with respect</p>	<p>To what extent do you agree or disagree with the following: My landlord treats me fairly and with respect?</p>		<p>LCRA LCHO</p>	

<p><b>Responsible neighbourhood management</b></p>					<p>CQ11. There are 4 proposed TSMs under the theme of responsible neighbourhood management. Overall, do you think they give a well-rounded picture of performance under this theme? Please give any additional comments on any individual TSM under this theme.</p>
<p>NM01</p>	<p>Number of Anti-social Behaviour (ASB) cases opened per 1000 homes by or on behalf of the provider during the reporting year</p>		<p>Definition of ASB as per ASB, Crime and Policing Act 2014. Cases rather than reports - reflects terminology in the sector and reduces complexity from repeated reports of the same incident. Includes cases relating to domestic abuse and hate crime</p>	<p>LCRA and LCHO</p>	

TP08	Proportion of respondents who report that they are very/ fairly satisfied that their landlord keeps communal areas clean, safe and well maintained	2 survey questions Do you live in a building with communal areas, either inside or outside, that you share with other people who live in the building? Y/N If yes: How satisfied or dissatisfied are you that your landlord keeps these communal areas clean, safe and well maintained?	Awaiting outcome of government's review of Decent Homes Standard for any further measures on management of communal areas		
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TP09	Proportion of respondents who report that they are very/ fairly satisfied with the extent to which their landlord makes a positive contribution to the neighbourhood	<p>Two alternative wording proposed</p> <p>a) Thinking about what your landlord does to improve your neighbourhood as a place to live: How satisfied or dissatisfied are you with the extent to which your landlord makes a positive contribution to your neighbourhood?</p> <p>b) How satisfied or dissatisfied are you with your neighbourhood as a place to live?</p>	Good quality neighbourhood was a clear expectation in white paper Satisfaction with neighbourhood is clear and simple (question b) but attempt to look at landlord's role in achieving that (complex and varied with many other agencies - is it achievable through question a?)	LCRA LCHO	<p>CQ09. Do you agree with the lead proposal that TP09 is focused on the landlords' role?</p> <ul style="list-style-type: none"> <li>• Yes</li> <li>• No, I prefer the alternative (please explain)</li> <li>• No, neither option (please explain; what is your alternative suggestion?)</li> <li>• I don't think there should be a TSM about satisfaction with neighbourhood (please explain)</li> </ul>
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TP10	Proportion of respondents who report that they are very/ fairly satisfied with their landlord's handling of ASB	How satisfied or dissatisfied are you with your landlord's approach to handling ASB?	Asking broadly in perception survey rather than only those who have first hand knowledge and experience, as more likely to meet minimum statistical standards, allow comparison and address risk of gatekeeping regarding records	LCRA LCHO	CQ10. Do you agree with the proposal that TP10 about satisfaction with your landlord's approach to handling ASB is measured by a perception survey? Yes/No (please explain either way)
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CQ12.

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

- There are too many TSMs in the suite - Please explain
- There are the right number of TSMs in the suite
- There are too few TSMs in the suite - Please explain

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

If yes, what are these and why?

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

- Yes - please explain
- Partially - please explain and provide any alternative suggestions where relevant
- No - please explain
- Don't know.

## Reporting requirements

(Chapter 9 of [main consultation document](#) and [annex 2 Draft TSMs: technical requirements](#))

Reporting on TSMs would be required at the registered group level, consistent with the current regulatory approach, although the RSH acknowledges that tenants and landlords may require information to be provided at a more localised level for internal involvement and scrutiny purposes.

TSMs must be collected for low-cost rental accommodation (LCRA) and low-cost home ownership accommodation (LCHO) and reported by the owner, not the managing agent if different.

\*Where TSMs are defined by number of dwelling units that refers to self-contained individual properties plus bedspaces in non self-contained properties.

- Where landlords own more than 1000 LCRA and more than 1000 LCHO, they must report TSMs for each separately to the RSH.
- Where landlords own fewer than 1000 LCRA and fewer than 1000 LCHO they can choose to report either LCRA only or LCHO only, or both separately, or both combined.

The regulator does not propose to include:

- Leasehold homes or where shared owners have fully staircased to 100 per cent.
- Non-social homes such as for market rent
- Legacy social housing only by virtue of legacy provisions in the Housing and Regeneration Act 2008.

Reporting will be annually on reporting year 1 April -31 March, calculated as 'at year end' in line with existing data submissions for regulation currently. Landlords with less than 1000 homes can use a different reporting year (e.g. to align with their financial reporting) as long as that is applied consistently.

CQ13. Do you agree with these proposals?

- Agree - please explain
- Disagree - please explain and provide any alternative suggestions where relevant

## Tenant perceptions survey requirements

(Chapter 10 of [main consultation document](#) and [annex 3 Draft TSMs: tenant survey requirements](#))

The aim of the survey is to provide robust, comparable tenant perception measures, using a consistent approach to key methodology whilst enabling sufficient flexibility to landlords. Hence the use of a tenant survey rather than capturing information through transactional surveys.

Landlords must be clear with tenants that the primary purpose of the survey is to calculate annual TSMs; where it is used for additional questions by the landlord itself about its services, these must be posed after the TSM survey questions (either after all the TSM questions, or after each relevant section) and must avoid adding wording or questions preceding the required survey questions that might have an impact on tenants' responses.

The survey must be run as a single exercise so that no duplication occurs from any one tenant in the same survey period. For landlords with more than 1000 homes, it should be at least an annual survey; for landlords with less than 1000 homes it should be at least every two years.

Where landlords own more than 1000 LCRA homes and more than 1000 LCHO homes, they must report separate tenant perception measures as:

- the obligations and responsibilities are different
- evidence shows different satisfaction levels across the types so combining would reduce comparability.

Where a landlord more than 1000 of either type and less than 1000 of the other, they can report on the largest stock type.

Any collection method or combination can be used.

CQ14 allowing providers to use the most appropriate method to collect data for tenant perception measures (TP01-12)

Do you agree with this proposal?

- Agree - please explain
- Disagree - please explain and provide alternative suggestions where relevant

Registered providers need a sample size for the overall general satisfaction measure to meet requirements of minimum level of statistical accuracy, where the sample size equates to number of responses. They should also ensure that, as far as possible, the survey responses are representative of the relevant tenant population (or is appropriately weighted). Annex 2 gives more technical detail, and annex 3 provides options and guidance on sampling size/ approaches.

Registered providers would be required to publish a summary of the survey methods used, alongside the TSM data.

CQ15. Do you agree with these requirements (survey type, timing, response options, who is to be surveyed)

- Agree - please explain
- Disagree - please explain and provide alternative suggestions where relevant

Small landlords

Where the landlord has less than 1000 homes of both types, they:

- will not be required to make annual submissions of performance data to the regulator
- have flexibility to collect and report TSMs annually to a different reporting year than 1 April-31 March
- can undertake census surveys in order to meet requirements of sample size for the tenant perception survey
- can run the tenant perception survey less frequently (at least every two years)
- can choose to report tenant perception measures on LCRA only or LCHO only or both separately or both combined.
- can be permitted to leave out some tenant perception measures from the published TSM data where confidentiality is at risk.

CQ16. Do you agree with this approach?

- Agree - please explain
- Disagree - please explain and provide alternative suggestions where relevant

The regulator, following the consultation, will set out the information required, the format in which it is required and the timeframe for submission of TSM data.

After a period of validation, it will publish the results from large (more than 1000 homes) providers.

It will use the TSM data as a source of regulatory intelligence to which it will have regard in making regulatory judgements; it will not generally use it as the sole source. Late, incomplete or inaccurate TSM data, as with other regulatory data, may be an indicator of a weak control environment.

(Annex 4 draft guidance on submission of TSM data to the regulator)

CQ17. Do you agree with the proposed approach?

- Agree - please explain
- Disagree - please explain

[Annex 6 Draft regulatory impact assessment](#) sets out the regulators reasoning and costing of its policy options





CQ18 invites responses providing evidence to support agreement or disagreement with the assessment

[Annex 7 Draft equality impact assessment](#) sets out:

- the regulator's public sector equality duty
- information on social housing and registered providers specifically in terms of proportions of people with protected characteristics
- any information gaps
- at the proposals within the consultation that are likely to have most impact, whether positive or negative on people with protected characteristics, and
- how it proposes to manage that in its approach.

CQ19 invites responses providing evidence to support agreement or disagreement with the assessment

CQ20 invites any further comment on the proposals for the TSMs, including the detailed requirements in Annexes 2 and 3.

