

Our ref: NH/ER
Contact tel no: 01189 099268
Your ref:



01 March 2022

Tenant Satisfaction Measures
The Regulator of Social Housing
Referrals and Regulatory Enquiries team
Level 2
7-8 Wellington Place
Leeds LS1 4AP

Stonewater Limited

Suite C, Lancaster House
Grange Business Park
Enderby Road
Whetstone
LEICESTER
LE8 6EP

e info@stonewater.org

w stonewater.org

Dear Sir/Madam,

Consultation on Tenant Satisfaction Measures

Stonewater is a leading social housing provider, with a mission to deliver good quality, affordable homes to people who need them most. We manage around 34,500 homes in England for over 76,000 customers, including affordable properties for general rent, shared ownership and sale, alongside specialist accommodation such as retirement and supported living schemes for older and vulnerable people, domestic abuse refuges, a dedicated LGBTQ+ Safe Space, and young people's foyers.

Our consultation response incorporates feedback from our own consultation with our customers and scrutiny panel. We are submitting our response via email, so we can provide a more detailed response to some of the questions.

1 - Do you agree that the proposed TSM Standard

a. sets clear expectations for registered providers?

Yes, we agree that the proposed TSM Standard does set clear expectations for Registered Providers.

b. supports the regulator in ensuring that the TSMs provide tenants with greater transparency about their landlord's performance (one of the aims of the TSMs in the White Paper)?

We agree that the TSMs would provide customers with greater transparency about their landlord's performance.

To support our response, we consulted with our customers, who shared concerns about the relativity of perception surveys. For example, they said that one person's good score could be another's poor score and our customers asked how the Regulator could overcome/allow for that. They also noted that some customers may live in 'worse' places with fewer services and

[Calls may be recorded for lawful business purposes](#)

Stonewater is a trading name of Stonewater Limited, Stonewater (2) Limited, Stonewater (3) Limited, Stonewater (4) Limited and Stonewater (5) Limited. Charitable Registered Societies No. 20558R, 19412R, 18946R, 27696R & 31527R respectively. Regulator of Social Housing Registered No. L1556, L0173, L0288, LH4027 & 4717 respectively. Members of the National Housing Federation

Registered Office: Stonewater Limited, Stonewater (2) Limited, Stonewater (3) Limited, Stonewater (4) Limited and Stonewater (5) Limited, Suite C, Lancaster House, Grange Business Park, Enderby Road, Whetstone, Leicester, LE8 6EP.

support beyond their landlord, and asked how this survey could support change on place-based basis (which goes well beyond the role of landlords).

Some of our customers shared concerns that the survey itself was stigmatising of tenants. They wanted to know the information would be used to drive improvements, and more clarity about what would constitute a 'failing landlord', as well as how the landlord and Regulator would make sure landlords' performance improved to avoid "a post code lottery". No customer wants the added mental health pressure of believing their landlord is failing and that they have no recourse to something better.

2 - 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?

We agree that these are sensible measures to assess the timeliness of responsive repairs completion. However, we do encourage consideration of the concurrent review of first time fix and the alignment of capital investment programmes with repairs. Our main priority is that customers are engaged and routinely communicated with regarding the best approach for repairs in their home, recognising that whilst it's essential all emergency repairs are completed as a priority, wider home improvements could/should be considered in the round in order to reduce inconvenience for customers and improve value for money for the business and the tax payer.

3 - 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?

Yes, in general these present a good overview of customer sentiment with the repairs service and will support registered providers to use customer insight to continually inform service development and improvement. We would request further insight into the focus on satisfaction with the 'most recent repair' a customer has experienced, as given current working environments (driven by both our exit from the EU and the ramifications of COVID) some service standards must be considered agile. However, providing we are clear and consistent in our communications with customers, this should continue to ensure we are providing a high quality of service in line with their expectations.

4 - 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?

Yes, we agree. However, we require further clarification from government regarding the finalised Building Safety Bill requirements to ensure that we are equipped to fully respond to these. This topic is critical to the delivery of our services, and is one that we are fully committed to, but full articulation of the requirements has been significantly delayed.

5 - 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?

Yes

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

Yes, we agree with the proposal that TP11 Satisfaction with the landlord's approach to handling of complaints is measured by a perception survey. We already use a similar perception survey to measure customer satisfaction of our complaint handling. It has helped our involved customers and Scrutiny Panel to better understand our performance and provide constructive challenge, which reinforces the merit of its inclusion as a critical TSM.

7 - 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?

Yes, we are very supportive of CH02, TP11 and TP12 TSMs, which will give a well-rounded picture of our complaint handling performance.

However, we do question whether CH01 will provide customers with a useful insight into our performance or support the culture change we want to promote across the sector's complaint management.

Whilst it is certainly true that a lot of complaints could indicate a failing organisation, it could equally be a sign of a transparent and open organisation, which is living and breathing the Housing Ombudsman Service's definition of a complaint and capturing every expression of dissatisfaction.

We are not convinced that this metric will be particularly helpful for customers trying to understand their landlord's performance, and we're concerned it might even be misleading. At its worst, we believe it could deter landlords from engaging with complaints transparently and in the spirit of the Social Housing White Paper.

If we move forward with CH01 as it is, we will need definitive definitions of what constitutes a complaint to ensure parity when landlords report against it.

8 - 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, we do think the three proposed TSMs under the theme of respectful and helpful engagement will provide a useful picture of our performance. We know from customer engagement that these issues are critical to our customers and will help us to deliver better services.

9 - 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?

Yes – we agree with the lead proposal for TP09 which is Satisfaction that the landlord makes a positive contribution to neighbourhoods. It feels better to pinpoint the question to the landlord's contribution – more likely to get results that reflect on landlord's performance.

10 - 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?

Overall, we agree with the approach, but would suggest that an alternative option could be to use transactional surveys, however this may be harder to define for comparison purposes. We would suggest that it should include something to ascertain whether the respondent has experienced ASB/had experience of their landlord's service?

11 - 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 with approach overall, but would suggest adding something about neighbourhood design – bin stores, bike sheds, pathways, parking, landscaping, privacy, lighting.

Please tell us if you have any comments on any of the individual TSMs under the theme of Responsible Neighbourhood Management.

12 - Number of TSMs

a. Please tell us your views on the number of TSMs by selecting one of the following options

We feel that there is the right number of TSMs in the suite.

In our consultation with customers, some found the number of TSMs an issue and fed back that they'd prefer a shorter number that were to the point. These could focus on the perception TSMs, based on assumption that legal obligations should be met and legal action taken separately where they were not.

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

We don't believe that any of the TSMs should be removed but feel that some could be reviewed – see comments Q20. We would also ask for consideration of a pre-qualification question in respect of repairs, ASB and complaints for example whether the customer has experienced in the last 6 months – this would ensure that the response is based on experience.

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?

Yes, the TSMs cover the areas that matter most to customers.

13 - 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?

We agree with the proposals;

- it will make the results easier for customers to understand by only reporting one result for each RP rather than splitting by owning body as with other regulatory returns.
- The freedom to breakdown this result into smaller groups (by geography etc), will be beneficial for customers to understand landlord performance in their area, making it more relevant.
- Having to report the methodology used creates greater transparency and will allow for easier, more relevant benchmarking and comparison.
- Further clarity required around LCHO customers, are all the questions relevant or should only a subset be used?

14 - 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?

We agree with this proposal, as it gives providers flexibility and enables them to respond to customer communication preferences.

15 - 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?

We agree with the requirements, the type and timing of surveys is flexible. We would appreciate further clarification in terms of whether all questions need to be asked regardless of tenure type. For example, it would seem from the requirements that the survey should be sent to leaseholders, but leaseholders would have a different relationship with the landlord in respect of responsive repairs.

In our customer consultation every customer wanted reassurance that the Regulator and Stonewater would leave no stone unturned to ensuring that vulnerable customers could take part in the TSM survey and have their views reflected. Customers supported the Regulator's proposal that survey samples should reflect each landlord's customer demographics.

Customers emphasised the importance of inclusive communication and proactive engagement of harder to reach customers.

16 - 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?

We do not have a view on this question.

17 - 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?

We agree that TSMs should not be viewed in isolation as context can be important and may not give a full picture. We would welcome confirmation of the other sources that would be used.

18 - Do you agree with our conclusions in the draft Regulatory Impact Assessment?

Yes, we agree with the conclusion of the Regulatory Impact Assessment, the rationale in the chosen approach is sound and we would agree with the financial assumptions made. We would make a point on why the intervention is needed – while we completely agree that the intervention is needed to enable customers to hold their provider to account and provide greater transparency, we disagree that there is a need for customers to be able to compare their landlord. Comparison is likely to have little relevance or meaning to customers and diversity and nuance within the sector will not enable customers to do this accurately.

19 - 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).

Yes, we agree with the conclusions set out in the draft Equality Impact Assessment (EIA) on the TSM. We have reviewed the proposals and considered the identified impact on the different protected characteristics (as set out in the Equality Act 2010). However there are some areas where we believe the consultation should be extended to cover issue that may need more consideration. These are set out below.

Firstly the consultation should take into consideration the discussions being had by people from Black, Asian and Minority Ethnic communities on the use of the term (acronym) BAME or BME being no longer acceptable. The consultation report should refrain from its use and replace it with a more acceptable term. Current preferred terms are: Black, Asian and Minority Ethnic communities; People of Colour; Minority Ethnic Communities or better still ask members of those communities what their preferred term is.

The EIA analysis seems to consider the proposals from a basic intersectional approach. The EIA needs to ensure that the consultation and the TSM not only take into consideration the nine protected characteristics (as set out in the Equality Act 2010) but also aspects of intersectionality that may result in poor tenant satisfaction due to housing inequalities.

Proposal 1 sets out that providers must assess the extent to which their achieved sample is representative of the relevant tenant population and providers need to judge which characteristics they include in this assessment based on their tenant profile and available.

We suggest that the information considered for the TSM is expanded. We are part way through the experiences of the first older generation of People of Colour and members of the LGBTQ communities entering into supported housing and retirement living services. This is a

new cultural norm for members of these communities and many of the providers are not prepared for the cultural impact of providing services for these customers. Could this raise issues of cultural satisfaction? Also these tenants may experience housing inequalities due to their ethnicity, age and possible disability. For reference: the *February 2019 Race Equality foundation report 'Housing and Older Ethnic Minority Population in England.'*

With regards to Proposal 10, whilst we agree with the reasoning behind it, we would like consideration to be given to how providers monitor and measure the data collected from complaints relating to fairness and respect. Whilst this data will only include the small proportion of tenants who complain each year, this information could identify possible trends amounting to discrimination.

Whilst we agree with the reasoning set out in Proposal 11, it must be recognised that this is an opportunity missed to promote and advance the importance of equality. The suite of TSMs is an opportunity to ensure the promotion of the Public Sector Equality Duty aim 2, pushing providers to make equality an important part of their surveys and service delivery. It should be considered that some providers may not take the necessary steps to ensure the quality of their data in relation to the protected characteristics. It is important that providers have or create systems to know their tenants as this is essential for providers to be able to identify housing inequalities from the information provided by in the satisfaction surveys in order to take relevant action.

20 - 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.

We welcome the proposed TSM Standard and suite of TSMs. They are clear, setting expectations and providing customers with transparency. We would like to take this opportunity to highlight some areas for further thought and clarity:

The volume metrics specifically in relation to Anti-Social Behaviour and complaints may not derive the greatest value as they provide no indicator on quality and can be influenced by factors such as accessibility and in the case of ASB, the provider's definition. In addition, they could drive the wrong behaviours such as inaccurate categorisation or creating barriers in terms of reporting. Satisfaction and resolution would seem more valuable areas of focus.

The terms 'neighbourhood' and 'anti-social behaviour' may need greater definition. 'Neighbourhood' can mean very different things to different people; to the immediate area, to an estate, to the environs of a small town. This means that perception could be significantly impacted by things outside of the provider's influence. Again, ASB is likely to be defined differently between landlords and may have different interpretations among customers

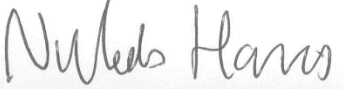
The points on neighbourhood raise the question of whether the TSMs fully provide for the significant diversity within the Housing sector for example contribution to neighbourhood is likely to look very different for a small LSVT provider to a large national provider.

As above we would welcome clarification on whether all TSMs should be asked regardless of tenure. The questions may not be relevant in all instances for example leaseholders have a very different relationship to social tenants in respect of responsive repairs.

In our consultation with customers, customers shared a view that the TSMs as written could be seen as "boring and act as a turn off" and explained the need for Providers to find exciting and engaging ways to present the information.

Customers also explained that it was very important that we show customers who we're using the information to improve. They want it to clearly set out how we are using their feedback and what difference it makes.

Yours sincerely,

A handwritten signature in black ink that reads "Nicholas Harris". The signature is written in a cursive style with a light grey shadow effect behind the text.

Nicholas Harris
Chief Executive Officer
nicholas.harris@stonewater.org