

Cherwell District Council

Executive

6 February 2023

Tenants Charter

Report of Assistant Director Wellbeing and Housing

This report is public

Purpose of report

To endorse the approach of a Tenants Charter for the tenants within the Council's housing stock portfolio and receive a draft proposed Charter for approval at a future meeting of the Executive.

To receive a further report to update Executive on the engagement of Registered Social Landlords and Private Landlords.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the drafting of a Tenants Charter. The Tenants Charter will set out a new service standard that all tenants can expect to receive from the Council whilst they are living within properties the Council manages. This Charter will be developed in consultation with our tenants.
- 1.2 To note that as part of the drafting and future adoption of the Charter, the Council and its Officers engage with Registered Social Landlords and Private Landlords to seek improvements in the services that they are providing to their residents in Cherwell.

2.0 Introduction

- 2.1 The Council has a small mixed tenure stock portfolio of circa 180 properties.
- 2.2 The way social housing is regulated has changed a number of times over the past two decades. Following the Grenfell Tower Fire in 2017, HM Government set out bringing new Legislation forward following the questions raised as a result of the fire for everyone involved in social housing, with an aim of learning lessons.
- 2.3 HM Governments new Charter for social housing residents (White Paper) sets out seven key aspects of what residents in social housing properties should be able to expect;

- To be safe in your home
- To know how your landlord is performing
- To have complaints dealt with promptly and fairly
- To be treated with respect
- To have your voice heard by your landlord
- To have a good quality home and neighbourhood to live in
- To be supported to take your first step to ownership

2.4 Reviewing the relationship that the Council has with the residents that live in its properties is therefore timely to ensure that the Council can comply with future legislation and to ensure that tenants are receiving quality services.

2.5 In addition to the White Paper relating to Social Housing, there is additional legislation proposed for those renting privately. The Renters Reform Bill proposes a set of new standards within the private sector to reform the landlord and tenant relationship within the sector. Provisions within the Bill include a ban on Section 21 'no-fault' evictions, an improvement of standards of accommodation within the sector and give tenants stronger powers to challenge poor practice, such as arbitrary rent review.

2.6 At the 19 December 2022 Council meeting, an Amendment to a Motion was carried to call on the Executive to;

- Establish a Tenants Charter setting out minimum standards that the Council and that all Council tenants expect
- To ask Officers to engage with registered social landlords and private landlords to seek improvements in standards, in line with those this Council will adopt.
- To call on the government to bring forward the Private Renters Reform Bill, the promised ban on 'no fault' evictions and to commit to the national campaign of insulating poor homes

2.7 The Amendment that relates to the Renters Reform Bill has been progressed and the Housing Minister has been written to by the Portfolio Holder.

3.0 Report Details

3.1 The Tenants Charter will set out, in broad themes and specific actions, what tenants can expect from their landlord. It will take into account the expectations set out by government following the Grenfell Tower Fire and the response expected by social housing providers.

3.2 The recent tragic death of Awaab Ishak in Rochdale, within a social housing property provided by a registered provider, has again brought the landlord and tenant relationship and the standards of social housing into sharp national focus. A key area that the Tenants Charter will look to address is the relationship between the tenant and their housing provider and ensuring that issues raised are acted upon and feedback used effectively to improve services. Another key factor will be ensuring that properties that are provided by the Council are free from hazards like damp and mould and compliant with relevant legislation on health and safety within residential property.

- 3.3 The Tenants Charter will be produced in consultation with residents, to reflect the concerns that they may have and understand what more the Council could do when discharging its housing management functions, to improve services to residents.
- 3.4 The Council will take a leadership role within Cherwell in developing the Tenants Charter and will advise other registered providers of social housing of the completed Charter with a view to wider implementation across social housing in Cherwell of an equivalent set of standards for their tenants.
- 3.5 In addition to the Tenants Charter, but as part of this leadership role, the Council will also work to engage positively with private landlords operating in Cherwell to ensure that they are supported to meet their new obligations, to improve the relationship between landlord and tenant but also to hold them to account for poor practice, now and in the future, using our role and powers that we have with regards to enforcement.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Further to the Motion at Council on 19 December 2022, the Tenants Charter will be implemented during 2023 for Cherwell District Council tenants.

5.0 Consultation

Not applicable

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to bring forward a Tenants Charter.
This option would be contrary to a Motion from Council

Option 2: To bring forward a Tenants Charter for all tenants in Cherwell, regardless of their landlord
This option would not be practical. It is up to the landlord to manage their own tenancies in accordance with the contractual relationships they have with their own tenants. The Council can instead look to encourage and influence good practice within the District and enforce poor practice where legally necessary.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no direct financial implications identified. The work on the Tenants Charter can be completed within existing budget and resources.

Comments checked by:
Leanne Lock, Strategic Finance Business Partner,

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Legal Implications

- 7.2 There are currently no statutory requirements for those that provide social housing, like Cherwell District Council, to have a Tenants Charter. However, a Tenants Charter will provide tenants with a clear set of principles and service standards that they can expect from the Council.

Comments checked by:

Shahin Ismail, Interim Head of Legal Services, Shahin.ismail@cherwell-dc.gov.uk

Risk Implications

- 7.3 A Tenants Charter will be directly relevant and applicable to our small number of tenants within our own housing stock. Whilst it is important that changes are well managed for reputational risk reasons, the sample size is small. Any related risks will be managed through the service operational risk frameworks and escalated as and when necessary.

Comments checked by:

Shone Ware, Assistant Director – Customer Focus
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Equalities and Inclusion Implications

- 7.4 In line with our Equalities and Inclusion Framework guidelines, it will be necessary to complete an equalities impact assessment when the completed Tenants Charter is presented for consideration. But not as a direct consequence of this report.

Comments checked by:

Shone Ware, Assistant Director – Customer Focus
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Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: Yes

Wards Affected

All

Links to Corporate Plan and Policy Framework

A Tenants Charter would link to a key Business Plan priority of “Housing that meets your needs”

Lead Councillor

Councillor Nicholas Mawer, Portfolio Holder for Housing

Document Information

Appendix number and title

None

Background papers

None

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