

Housing Scrutiny Committee - 7 November 2023

Minutes of the meeting of the Housing Scrutiny Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 7 November 2023 at 7.30 pm.

Present: **Councillors:** Jackson (Chair), Cinko-Oner (Vice-Chair), Graham, Bossman-Quarshie, O'Sullivan, Gilgunn, Ozdemir and Jegorovas-Armstrong

Councillor Jason Jackson in the Chair

44 APOLOGIES FOR ABSENCE (Item 1)

There were no apologies for absence.

45 DECLARATION OF SUBSTITUTE MEMBERS (Item 2)

There were no declarations of substitute members.

46 DECLARATIONS OF INTERESTS (Item 3)

There were no declarations of interest.

47 MINUTES OF PREVIOUS MEETING (Item 4)

RESOLVED:

That the minutes of the meeting held on 25 September 2023 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

48 CHAIR'S REPORT (Item 5)

Chair informed meeting that he recently met with Matt West, Director of Housing Property Services to discuss scaffolding in and around housing estates, that an officer update will be scheduled for consideration by committee at a future meeting.

49 EXTERNAL ATTENDEES (IF ANY) (Item 6)

None

50 ORDER OF BUSINESS (Item 7)

The order of business would be B1,B2,B4 and B5.

51 PUBLIC QUESTIONS (Item 8)

In response to a question from a member of the public about the Council's engagement process and a statement by the interim corporate director of Community Engagement and Wellbeing, Nadeem Murtuja who expressed an interest

in non-Eurocentric engagement methods, the Interim Corporate Director of Homes and Neighbourhood acknowledged that this is being considered.

52 **HOUSING OMBUDSMAN ANNUAL COMPLAINTS REVIEW 2022/2023**
SYNOPSIS (Item B1)

Item was taken in conjunction with B2

Meeting received a synopsis of Housing Ombudsman Annual Complaints Review 2022/23, details of which are the following:

- The Annual Complaints Review has revealed a sharp increase of severe maladministration findings, as individual performance reports were published for 163 landlords where the Ombudsman made most findings.
- The figures revealed a challenging picture of social housing complaints, which has seen a huge spike due to poor property conditions, legislative changes, media attention and the inquest into the death of Awaab Ishak a child who sadly died in Rochdale due to Damp and Mould.
- The Annual Complaints Review provides a unique and comprehensive assessment of complaints in social housing, that the Ombudsman received over 5,000 complaints for the first-time last year, a 28% increase on the previous year.
- Ombudsman has written to Chief Executives of landlords who have a maladministration rate of over 50% to bring urgent attention to the figures, that there are 91 landlords with a maladministration rate above 50%, with 25 landlords being above 75%.
- Islington Council received letter from Housing Ombudsman on the 11th October 2023. Review looked at Complaints Handling Failure Orders (CHFOS) and a number of key issues for the first time.
- The Ombudsman issued 146 CHFOS last year, mostly for failing to progress complaints in line with its Complaint Handling Code, with 73% of those being for landlords with over 10,000 homes. Islington Council received two complaint handling failures.
- In terms of what residents were complaining about, property condition was once again the leading category, with the Ombudsman making almost 2,000 findings where the failure rate has increased dramatically from 39% to 54% this year.
- The Ombudsman also found a 52% maladministration rate for health and safety complaints.
- Another key element of the Annual Complaints Review is the regional data which indicates Southwest as having the lowest overall maladministration rate, as well as having a significantly lower maladministration rate on health and safety complaints and the Northeast and Yorkshire having the lowest severe maladministration rate.

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- London continues to be where the Ombudsman makes most of its determinations, even accounting for the quantity of social homes in the region. It had the highest maladministration rate and accounted for 77 of the 130 severe maladministration findings last year.
- The rate of maladministration for local authorities was slightly higher than housing associations, 62% compared to 50%. The Housing Ombudsman have found that due to less resources, it is harder for local authorities to offer reasonable redress, therefore ending up with more maladministration findings.
- The Annual Complaints Review shows that London has the highest number of determinations, even accounting for quantity of housing stock in region.
- The London region also has the highest maladministration rate at 58% and the highest maladministration rate for property condition at 58%.
- It was noted that of the 131 severe maladministration findings last year, 77 of these were for London landlords.
- Meeting was advised that Islington Council had a 56.8% of maladministration findings, with 74 landlords having a higher percentage maladministration finding compared to Islington.
- Committee will receive annual reports in the future to hold the Homes and Neighbourhood service to account which will help drive service improvements for residents. Also the strategic action/improvement plan which addresses most of the issues highlighted by the Housing Ombudsman.
- On whether any of the works carried out could be attributed to contractors, the Director advised that housing ombudsman's findings does not distinguish contractors from social landlords and that, all contractors and inhouse staff are provided mandatory training.
- Meeting was advised that properties managed by Partners Improvement falls within the same regulatory regime as social landlords.
- In response to a finding for Islington's Chief Executive to personally apologise to tenants for its maladministration, the meeting was advised that due to changes in leadership in the last few months this had not occurred, but will be actioned when the new Chief Executive is in post.
- The Executive Member for Homes and Neighbourhood reiterated that when these issues have arisen and brought to her attention either via case work or at committee she has apologised, reminding residents to contact the council directly first than wait to be approached by 'ambulance' chasing lawyers.
- On the question about first time repairs and slippage and its monitoring, the Chair requested that this issue be considered by committee in the next few months.
- With regards to the 21 recommendations and the associated 20 actions, the Interim Corporate Director Homes and Neighbourhood advised that Committee will receive a detailed report which will link the recommendations to the respective actions so that members will be able to monitor its progress.
- On the issue of scaffolding, meeting was reminded that a review was carried out years ago with Partners Improvement nothing the misconception that contractors leave scaffolding up on estates due to lack of storage so prefer to leave it up until they move onto another site.

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- In response to the above, the Director of Property Services acknowledged that there is room for improvement especially in the area of how it communicates with its residents, that residents need to be kept informed at all the various stages and works being carried out or ongoing when scaffolding is erected on estate buildings.
- The Chair requested officers provide an update on scaffolding and first-time repairs ahead of the next meeting as it needs more clarity.
- On whether the implementation of the recommendations were realistic, the Corporate Director acknowledged that the Council aims to keep to the timelines, that officers will be clear and transparent if there are any slippages, noting that all lead/contact officers had an input to each recommendation.
- Meeting was advised that there is ongoing cross over work with other services in areas, one of which is addressing anti-social behaviour.
- Member queried the culture within the ASB team especially in light of the recent Clarion resident who committed suicide, that there is a view that enforcement is not taken seriously, that tenants are not being held to account especially as some of these activities are likely to be a breach of their tenancy agreement.
- In response to the above, the Director of Housing Needs acknowledged that historically this issue had not been robustly addressed however there have been some improvements for example where previously there was one housing officer responsible for managing 1250 homes, now it is one officer to 500 homes, noting also that more enforcement such as evictions have been carried out in the last 6 months in comparison to the last 6 years.
- On the issue of funding, meeting was advised that officers are working with Executive Members to articulate a response to central government on this issue.

RESOLVED:

- That the annual report be noted
- That the action/improvement plan be noted

53 HOUSING OMBUDSMAN SPECIAL REPORT ON ISLINGTON COUNCIL (Item B2)

Item was taken in conjunction with item B1

- Committee received the Housing Ombudsman Special Report on Islington Council and the following issues were noted:
- The investigation commenced in December 2022, and the special investigation report into Islington Council was published by the Housing Ombudsman on the 24th of October 2023.
- Meeting was advised that the Housing Ombudsman makes final decision on disputes between residents and Council and Housing Association landlords.

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- Members were informed that the special report attached as Appendix One to this report follows an investigation conducted under paragraph 49 of the Housing Ombudsman Scheme, which allows the Housing Ombudsman to conduct further investigations to establish whether any presenting evidence is indicative of a systemic failing.
- The cases considered as part of the special investigation include complaints that were with the landlord between February 2019 and 24 November 2022. Therefore, the complaints cover a three year and nine-month period.
- The special investigation considered all housing services provided by Islington Council and the related complaints for all these services and that the investigation report and work identified underlying causes which have led to failings in three principal areas of the landlord's service provision where the Housing Ombudsman see repeated failings and include Disrepair including Damp and Mould, Anti-social behaviour and Complaint handling.
- Meeting was advised that the complaint handling by Islington Council had been the subject of a Local Government and Social Care Ombudsman investigation, an LGSCO report produced was referenced within the Housing Ombudsman report on pages 41 to 44 relating to complaint handling by the council.
- The Corporate Director informed committee Islington Council fully accept the Ombudsman's report and recommendations, that Council wants everyone in Islington to have a safe, decent, and genuinely affordable place to call home.
- It was also noted that tenants and leaseholders within the borough deserve a high-quality service, which Council sadly acknowledge has not always delivered in the past.
- The Corporate Director reiterated that Islington Council have been working to put things right and note that this report further clarifies the actions and resources needed, building on the external critical appraisal Council have sought from partners over the last two years.
- Islington Council are committed to delivering a number of improvements in an extremely challenging environment of long-term underinvestment in social housing, the challenges our residents face with the cost-of-living crisis, and a severe shortage of affordable housing in one of London's densest Boroughs.
- In June 2022 Islington Council set up a Housing Improvement Board to raise standards and respond to new regulatory requirements and that Council will build on this and deliver the Ombudsman's recommendations through an expanded Improvement Plan, including:
- Introducing a new, place-based approach, Getting repairs right, Delivering our five-point-plan on damp and mould, Tackling anti-social behaviour (ASB), Transforming our complaints service. Attached as Appendix Two to this report is the draft Improvement/Action Plan to address the findings and recommendations contained and connected with the special investigation report produced by the Housing Ombudsman.

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Committee received presentations from Stephen Nash, Interim Director Strategic Development & Delivery on how it consults and engages with the different stakeholders in the delivery of its new homes and Alistair Gale, Head of Programming, Design and Customer Care on partnership working.

- Meeting was advised that besides delivering new affordable high-quality homes it is important for residents to understand why Council is building new homes on their estate, why it has to sell homes to pay for the works, and how people can apply for newly built homes. This is possible through its consultation and engagement process.
- The New Build Team does not determine whether a scheme goes ahead, that lies primarily with the Council's Planning Committee.
- The Team ensures that all relevant voices are heard, how it influences our buildings and spaces and the need to continue involvement.
- Interim Director highlighted its engagement process with internal stakeholders with its initial fact finding; design guide; stakeholder workshops; building control and technical reviews; members meetings and updates.
- Throughout the engagement process, the New Build Team aims to put residents at the heart of the process by involving them in both design and implementation phases.
- In terms of community engagement, meeting was advised that local knowledge and feedback helps improve council schemes and enhance the social value that developments can deliver and this is done via exhibitions and drop in sessions, residents meeting the Design team to talk about the built environment; Steering groups and design workshops; feedback surveys; newsletters and posters and visiting residents.
- Meeting was also informed that the New Build Team engage with residents that do not live on the estate so as to get their perspective on the impact of the new scheme.
- Resident engagement continues during construction and onto when scheme is completed and handed over as new schemes can have an impact on resident amenity with possible closures of access roads and noises from construction activities and its impact on residents well-being.
- The new build team provides regular newsletters, organise 'meet the contractor' event, having in place a dedicated resident liaison officer; use of online project webpages, attendance of TRA/TMO meetings and including a contractor 'Social Value' clause.
- A successful engagement process will ensure that process is tailored to the needs of the projects as it is important to recognise that there is a no 'one-size-fits-all'. The process will make use of local knowledge and feedback to develop and refine proposals, that it will allow for a 'win/win' approach whereby existing / and future residents will benefit, achieve an acceptable balance of time/cost/quality for the Council New Build once construction is underway.
- Meeting was informed of the recent changes within the New Build Team, that previously the engagement process was managed by a Project Manager, a Strategic Engagement Manager and Officer has been proposed to manage

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the process with tasks of reviewing how the Team currently engages; filter out what works, what doesn't, what could be done better; speak to other developing boroughs and incorporate the best that they do; work closely with LBI Engagement and Participation Team and Communications Team; meet the requirements of the GLA / Social Housing Regulator and other relevant bodies etc.

- In terms of Cross Public Sector Working, One Public Estate supports locally-led partnerships of public sector bodies to collaborate around their public service delivery strategies and estate needs, an example being the funding of (some) ground works to Parkside Estate. It was also noted that more lobbying would need to be done regarding TFL as they remain one of the few large landowners in the borough.
- The New Build team engages with the Islington Local Estates Forum and has resulted in projects such as Vorley Road (37 council homes, new medical centre, new library), the Finsbury Leisure Centre (100 council homes, new leisure centre, new medical centre, new energy centre) and Daylight New Park (new council homes, new medical centre, new adult day centre) etc.
- GLA funds have resulted in the building of council homes for Londoners and Affordable Homes programme for sale, which is to be welcomed.
- In terms of best Practice and Knowledge Sharing, the new team is part of the Local Authority Design Working Group (LA DWG).
- The team also engages in various networking activities such as the Housing Forum which supports Council's at different stages in delivering more quality homes for their communities nationwide; London Councils (LC); LC London Housing Developers Group; Neighbouring developing councils and Contractors & consultants.
- Meeting was advised that LBI being one of the founding members of the Benchmarking Construction for London group, is able to upload tender award data and supporting information that helps to produce construction cost benchmarks so that it obtains best value for money especially in terms of construction costs.
- On the possibility of further collaboration with similar schemes such as the Richard Cloudsley School, meeting was advised of the unique circumstances which made it possible, however if such opportunity arises in the future the Team will take it up.
- Meeting was informed of cross working with other services, that the team has links with the Adult and Social Care Services which helps in identifying local housing demands and under-occupiers.
- In response to suggestions that Council build on top of existing residential buildings or build downwards, the Executive Member for Finance, Planning and Performance reminded the meeting of successful conversion of garages and undercroft spaces, and that Council have no plans to build below ground.
- The interim Director advised that fun day events were sometimes organised in estates with a view to design play areas, an opportunity to obtain feedback from children and young people's.
- In response to a question about previous collaboration exercises with smaller housing associations to build new homes, the interim Director advised that this was possible previously when council had small sites within the borough.

The New Build Team provides support and advice to small housing associations when seeking planning permission.

- On the question of abandoned projects and if it could be attributed to failure with the engagement process, meeting was advised that only one out of 40 schemes was abandoned and this was due to challenging circumstances from the economic climate.
- Committee will have an opportunity to consider the experiences of neighbouring boroughs as part of the review into new build homes.
- On the suggestion of extending the invitation to experts and academics, this was noted by officers.

Chair thanked both Stephen Nash and Alistair Gale for their presentations and that he and the vice chair would be meeting the New Build

RESOLVED:

That the presentation be noted.

55 MAIN SCRUTINY REVIEW 2022/23 - OVERCROWDING STRATEGY - FINAL REPORT AND DRAFT RECOMMENDATIONS (Item B4)

Ian Swift, Director of Housing Needs Operations advised the meeting that following the review exercise, a number of recommendations had been produced which has been shared with all stakeholders for their comments.

The Director informed meeting about the under-occupation scheme report attached and recommendations on page 135-136 of the agenda

That Recommendations include the recruitment of an additional officer in the mobility team; relaunching the downsizer scheme; prioritising downsizers for a greater pool of lettings; raising the financial incentive from £500 per bedroom up to £2,000; increasing the removal expenses up to £750 for all downsizers; raise awareness among other teams and departments ;cross matching the under-occupier register with Adult Social Care records; review the Council's webpages related to the Downsizer Scheme; creating a dedicated phone line and mailbox and to explore the implications of promotion of Shared Lives and Home share schemes to under-occupiers.

A member suggested that in addition to the recommendation of increasing financial support, Council should consider other officer support as a package.

In response, the Executive Member for Homes and Neighbourhood acknowledge that in light of the ongoing cost of living challenges there is a recognition that the recommended financial increase may not be sufficient as an incentive for under-occupiers to release their homes and move on and that this issue will be revisited sometime in the near future.

RESOLVED:

- (a) That the report be approved and referred to the Executive for consideration

- (b) That an interim progress on the recommendations be reported to committee in the next 6 months
- (c) That the report on under occupation scheme and recommendations be appended onto the report.

56 FIBRE BROADBAND -UPDATE (Item B5)

The Director of Housing Needs and Strategy informed committee that presently cabling has now been completed for 2379 properties or 7% of the Council's properties, that officers continue to consult regularly with colleagues across the council to maximise partnership working with the providers, making introductions to colleagues where appropriate, provide input where useful and to extract community value from the programme.

Meeting was also advised that the Community Centre at Peregrine House has now a live connection.

RESOLVED:

That the report be noted

57 WORK PROGRAMME 2023/24 (Item B6)

RESOLVED:

That the report be noted

The meeting ended at 9.55 pm

CHAIR