



ADUR & WORTHING  
COUNCILS

Joint Audit and Governance Committee

26 September 2023

Adur Joint Strategic Sub-Committee

27 September 2023

Key Decision [No]

Ward(s) Affected: All Adur

## **Housing Improvement Plan: September Progress Report**

**Report by the Director for Housing and Communities and the Monitoring Officer**

### **Executive Summary**

#### **1. Purpose**

- 1.1. This report provides a progress overview of the Housing Improvement Plan to both the Adur Joint Strategic Sub-Committee and the Joint Audit and Governance Committee, following the self-referral to the Regulator for Social Housing earlier this year.
- 1.2. Previous reports shared with both these Committees have detailed the rationale for the self-referral, the response from the Regulator, and the scope of the work planned to address these issues in Adur Homes. This report sets out a summary of the work underway, the early progress being made to improve performance and meet the required standards, and the issues that remain. The purpose and focus of all of this work is about delivering the Council's mission to ensure that everyone has a safe, secure and sustainable home.
- 1.3. For the specific purposes of the Joint Audit and Governance Committee, this report provides an update on the progress being made on the outstanding Audit Actions, which have been integrated into the Improvement Plan. This includes an update on work being done to address outstanding Freedom of Information Act requests.

- 1.4. For Members of the Joint Audit and Governance Committee, this report also complies with the Monitoring Officer's statutory duty under s5 and s5A of the Local Government & Housing Act 1989 to report on a finding of maladministration by the Housing Ombudsman.

## **2. Recommendations**

- 2.1. The Joint Audit and Governance Committee is asked to:
  - 2.1.1. Note the good progress being made to ensure that Adur Homes becomes fully compliant with regulatory standards and the wider programme of transformation to create safe, secure and sustainable homes for our residents.
  - 2.1.2. Consider the progress being made on the outstanding audit actions as captured in paragraph (4.21, 7).
  - 2.1.3. Note the progress being made with the overdue Freedom of Information Request at paragraph 2.1 (12) of this Report
  - 2.1.4. Approve the Cabinet Member for Health and Wellbeing to act as the Member to oversee the Complaints Culture role as part of the new national changes as set out within the report (4.21, 11).
  - 2.1.5. Note the fact and circumstances surrounding the Housing Ombudsman's findings of maladministration at Paragraph 5 of this Report and attached redacted Appendices 6 & 7 and consider the proposed remedial actions.
  - 2.1.6. Consider the contents of this report and provide any comments for consideration to the Adur Joint Strategic Sub-Committee.
- 2.2. The Adur Joint Strategic Sub-Committee is asked to:
  - 2.2.1. Note the good progress being made to ensure that Adur Homes becomes fully compliant with regulatory standards and the wider programme of transformation to create safe, secure and sustainable homes for our residents.
  - 2.2.2. Approve the change in the terms of reference for the Adur Homes 'Advisory' Board to clarify and strengthen the purpose and remit of this group (Paragraph 4.21, 2, C, Appendix 4).

2.2.3. Approve the changes to the Compensation Policy (4.21, 7).

2.2.4. Consider any comments received from the Joint Audit & Government Committee.

### 3. Background context

#### 3.1. Self-Referral to the Regulator

3.1.1. This Council has established a clear ambition to ensure that everyone has a safe, secure and sustainable home. Our residents' safety and wellbeing is paramount and there is a strong commitment to ensuring that the management of our housing provides homes for people that are good places to live and that the management of this service is deeply influenced and shaped by residents.

3.1.2. We know that we are not yet providing this for all of our residents. Members will recall that a diagnostic review of Adur Homes was carried out in 2022/23, the results of which were shared with both of these Committees, set out in these reports:

[Adur Homes Compliance with Housing Regulator Standards - Joint Audit and Governance Committee 23 March 2023](#)

[Regulatory Compliance Notice for Adur Homes - Joint Audit and Governance Committee 30 May 2023 and Adur Joint Strategic Sub-Committee 15 June 2023](#)

3.1.3. The Notice issued to the Council on May 10th 2023 confirmed a breach of two sections of the Home Standard. For clarity, the Home Standard sets expectations for registered providers of social housing to provide tenants with quality accommodation, including the provision of decent homes, effective management of health and safety compliance and the provision of cost-effective repairs and maintenance.

3.1.4. The draft Regulator's decision was accepted in full by the Council.

3.1.5. In addition to the specific areas of concern, the Regulator also requested regular reports and meetings to update on the progress being made on the journey to improvement.

3.1.6. Members are also reminded that there is significant legislative change underway through the new Social Housing (Regulation) Act (a summary is provided below) which has now been passed into law. The purpose of

this is about driving significant change in landlord behaviour, providing more tenants with greater powers and improving and strengthening the powers of the Regulator of Social Housing.

- 3.1.7. Following the Regulatory Notice, Officers have met with the Regulator a number of times, progress of which is detailed below.

### 3.2. **Outstanding audit issues for Housing for the JACG Committee**

- 3.2.1. Previous reports to the Joint Audit and Governance Committee have highlighted a number of outstanding audit issues and Freedom of Information Requests (FOI) for Housing. In order to align reporting, these outstanding issues are addressed within this report and have been aligned to the work in our Improvement Plan (please see section 4.21 paragraph 12 below).

## 4. **Adur Homes road to improvement and transformation**

### 4.1. Adur Homes Improvement Plan

- 4.1.1. The Adur Homes Improvement Plan sets out a number of key priorities for the service, which primarily address the concerns of the Regulator (around compliance and decent homes) and also include wider-ranging priorities to ensure the whole service is transformed, including: workforce, governance, asset management, health and safety compliance issues, tenancy management and engagement, complaints and FOIs.
- 4.1.2. Phased over a 24-month period, this is a relatively high level plan, which sets out clear accountable leadership and delivery, against challenging but realistic timeframes. Whilst this plan will deliver the work to address issues in the short to medium term, we recognise that the road to transformation of Adur Homes will require a longer-term approach and this is referenced within the plan.
- 4.1.3. Importantly, the plan also includes a high level risk assessment and an environment scan highlighting issues on the horizon that the service needs to plan for and adapt to.

### 4.2. Summary of progress against the Improvement Plan

- 4.2.1. The full Improvement Plan is set out below as a set of actions (Appendix 1) and a risk assessment (Appendix 2). Each of these

priorities is being tracked and regularly reviewed to drive forward progress through a new Housing Improvement Board. Below are some key areas to highlight for Members of these Committees. Each summary area referenced the relevant priority area (referenced as P):

1. Establishing the right leadership and workforce (Ps 26 and 32)

Securing good leadership and management for this programme of work is essential. We have now appointed an Assistant Director for Housing and Homelessness Prevention, who will start their position in early November. The Head of Property Services (focusing on property) - a new post - started in May this year and the Interim Head of Housing (focusing on tenancy management and engagement) started in April.

We have also recently appointed a new Compliance Manager, to focus on health and safety and the development of a cyclical maintenance programme, and we have created a new Asset Management post (currently being recruited to). We have enhanced the Voids Team and successfully recruited a Tenant Engagement Lead.

There remain some significant gaps in the rest of the team including neighbourhood services (providing tenancy management), systems and wider infrastructure to support our work on complaints for example. Work is underway to address these issues and provide the right skills/capabilities, some of which is waiting for the new Assistant Director for Housing to join the Council.

It should also be noted that there are significant challenges in recruiting housing workforces (nationwide) and the new legislation will be bringing in new requirements around training and qualifications.

2. Reviewing and strengthening governance (P 29)

We have established a new approach to governance including:

- a. Creating a new officer-led Housing Improvement Board, led by the Director for Housing and Communities, which is providing regular progress reports to the Corporate Leadership Team.
- b. Developing a new set of performance indicators for (the whole of) housing, to track progress. These are included in this report

(Appendix 3). It should be noted that not all of this data can be captured at this time due to system issues.

- c. A proposal for the Adur Joint Strategic Sub-Committee to agree to a change in the terms of reference for the Adur Homes Management Board to become the Adur Homes Advisory Board, which was agreed by this Board on 21 June 2023. The changes proposed are aimed at clarifying and strengthening the purpose and remit of this group (see Appendix 4).

### 3. Compliance and health and safety (Ps 10.11)

This has been the significant area of focus given the Regulatory Notice.

To date Adur Homes has not met its statutory requirements in a number of different areas across compliance and the spectrum of health and safety measures including electrical tests (EICR), fire safety actions and the installation of smoke/CO2 alarms.

The focus of the initial work has been to concentrate on ensuring the work is being programmed and completed with suitable and relevant contractors to identify, undertake and manage the work and record the data to meet Adur Homes standards as well as the statutory and legal requirements. Over the last 3 months the focus has been placed on changing operations and on data and systems to ensure that this work is planned, recorded and evidenced.

Performance data (Appendix 3) illustrates the progress being made, starting with June through to August. This shows good direction of travel over these first few months. The focus and attention to both operational and contractual arrangements has created a positive momentum and a confidence that we will be able to meet all of our compliance targets and standards within the reasonable and realistic timeframe of the Improvement Plan, with some sooner than others.

### 4. Improving data and systems (Ps3, 4)

This is a critical area of work to ensure that the team can work effectively, evidence and prioritise work and identify and programme relevant works. It is important to state that we have poor legacy systems throughout Adur Homes which do not enable our teams to do their work efficiently. This is deeply frustrating for staff and residents and contributes to many of the issues which Members will

be aware of.

Our Digital Team has been supporting Adur Homes, starting with compliance systems and data and moving into the requisite system to manage our assets, capital works programme, repairs service and tenancy management. We have been making good progress with our compliance system in the short term and this is now starting to provide the data we require to record progress.

We have critical issues with the system that serves our tenancy management, arising from an old legacy system and a lack of support provided by the supplier, which causes issues with functionality and integration with other Council systems. This has been highlighted as a corporate risk and work is underway to upgrade this system in the short term and to move into longer-term solutions.

We don't yet have the right systems capacity or skills in the team and this is also being addressed through our workforce programme.

Nevertheless, the performance data set that has been established will start to provide Members with the ability to oversee and scrutinise the work of Adur Homes.

##### 5. Achieving "Decent Homes" (P1)

The Government has defined what Decent Homes means (see below) and Members should note that this will be amended over the course of this year through the changes to the Regulatory Standards.

For now however, 'decent homes' is one area of concern under our Regulatory Notice. In order to evidence that our homes are decent, housing authorities must have up-to-date stock condition data.

The focus for our Improvement Plan is to use the data from our compliance / health and safety programme and the stock condition data gathered following an extensive survey in 2017. This data has enabled the team to develop a draft short/medium-term programme of works, detailing the improvements required to bring the housing stock up to Decent Homes standards. This is enabling officers to work up a clear plan and associated costs to be used to procure a cyclical stock condition surveying programme that will continually update the information we hold on our homes. This will provide us

with the ability to identify and deliver a programme of works that will ensure all homes reach the Decent Homes standard within a reasonable and acceptable timeframe.

#### 6. Management of void properties (P 7)

The number of void properties has increased significantly over the last several years and this has impacted Adur Homes in two ways. Firstly, it has caused a loss of rental income and the need to meet associated costs, thereby reducing the money available for reinvestment. Secondly, it has reduced the homes available for local people of Adur to rent to help alleviate homelessness in the local area and increased emergency accommodation costs for the Council.

The void properties are being monitored in two categories - one to keep track of the old backlog of properties (those that have been empty since before April 2023) and one for those that have become vacant this financial year. This is mainly to ensure that the older ones are not neglected any longer than necessary and to prevent further deterioration within the properties due to the lack of occupancy, but also to monitor the numbers of more recent properties becoming vacant so that demand for homes in Adur is correctly monitored.

There is the urgent need to be able to increase the work undertaken on the outstanding void properties to bring them back into the rental market as quickly as possible.

To reduce the backlog of void properties and to return the properties back to enable re-let, the approach being taken is to employ two contractors to support the process of completing this work within this financial year and increasing the staff resources to manage this process until the backlog of void properties is cleared. In addition to this, their efforts are concentrating on the quick turnaround properties, those that do not need a lot of work and can be re-let quicker.

#### 7. Policies and Procedures(P 10)

As part of the improvement plan preparations, a set of revised interim and operational policies and procedures were presented to the Joint Strategic Sub-Committee on 7th March. These policies will be further refined and updated in the coming months through engagement with the Adur Homes Management/Advisory Board (and tenants).



For the purposes of this Joint Strategic Sub-Committee, Members are asked to review and approve one policy, which is the revised Compensation Policy (Appendix 5).

8. Damp and mould (P13)

Damp and mould are a key national concern since the Housing Ombudsman released its report two years ago following the tragic event in Rochdale and changes have started to be implemented on this subject.

Adur has significant issues due to its ageing stock, with certain archetype and construction methods used not lending themselves to managing the moisture levels within the buildings. Linked to this, the living environment and habits of residents can also contribute to problems.

When a property is identified with damp and mould either from our own surveys or reported by the resident, Adur Homes undertakes a thorough investigation at the property including, but not limited to, the walls, floors and structure; identifying, arranging and managing any work that is needed.

In addition to the above works, usually the start of the process involves cleaning away any existing mould. Following the inspection and monitoring of the property the contributing factors are usually identified that could be the main causes influencing the build-up of moisture/condensation that ultimately leads to the growth of mould.

From this the relevant repair/improvements are made or the resident advised on suggested changes to their living habits with relevant advice being provided e.g. around ventilation and heating.

Additional resources are being employed to tackle the backlog of properties being dealt with to ensure that when the winter arrives there is a more manageable level of damp and mould cases to deal with.

The monitoring and undertakings in this area of work will continually result in improvements being made to the process and these will only benefit the residents and Adur Homes as the Landlord.

## 9. Tenant communication and engagement (P20-23)

This Council has big ambitions around participation and involving residents in the development of the service.

To this end, work has been underway over this year to start to engage with residents across Adur. A full round of engagement sessions have been held in Southwick, Fishersgate, Lancing, Shoreham and Sompting. The Director for Housing and Communities has attended all of these sessions with members of the team and Elected Members. Their purpose has been to meet with, listen to and engage with residents as well as inform them about the work underway.

Through these sessions, residents have expressed a range of frustration around a lack of communication and engagement, lack of responsiveness, poor services and issues and some delays in dealing with complaints. However a number of residents have turned up to these sessions and have expressed a willingness to be informed, engaged and involved in the work going forward.

We are pleased to note that the new Tenant Engagement Lead has now started her position and has hit the ground running, supporting these sessions and starting to build a programme of resident engagement that is so desperately needed for this service.

Tenant empowerment is of course a key part of the new legislative changes to promote transparency and accountability in housing. The Adur Tenants' Forum, which had been active for some time, has been dormant over the last few years due to this Council pausing the work. This has been frustrating for those involved who have shown such passion and energy to get on with this work. Part of the Tenant Engagement Lead's role will be to work with residents to re-form this group and build more formal mechanisms for involvement, including representation on the Adur Homes Management/Advisory Board.

Part of the new regulatory requirements require housing authorities to survey all their residents annually around a range of satisfaction measures. Adur Council has partnered with Runnymede & Tandridge councils to deliver the TSM (tenant satisfaction measures) survey. We are working with a provider that has extensive experience of accessible and inclusive surveys and are planning to survey residents of Adur Homes between October and November, with a

final report to Members in January 2024. Officers have begun work on a communications plan to promote this work during September and Members are asked to note and help communicate this to our residents.

In addition to this, the Communications Team have also been supporting the team by creating the [Adur Together newsletter](#). Each newsletter includes updates on key issues affecting Adur Homes tenants and leaseholders, including action we'd like our residents to take. Three editions of the newsletter have been published to date, the most recent of them at the beginning of September 2023.

10. Managing outstanding audit recommendations (P31)

Members of the Joint Audit and Governance Committee will recall the issues with progress against a number of outstanding audit areas for housing.

Work has been carried out on each of these outstanding audit actions as part of the Improvement Plan (not including complaints which is detailed below under 11), identified between 2017/18 and the present time.

Of the outstanding audit actions for Adur Homes:

- 14 have now been completed
- 17 remain outstanding but are 'on track' and each of these has been integrated into the Improvement Plan to be progressed by the relevant lead and tracked as part of the programme.

For the rest of housing (not including Adur Homes)

- 4 have been completed
- 1 is outstanding

Officers will now be working to ensure that each of these actions is progressed as part of the core priorities and this will be reviewed by the Improvement Board and reported back to this Committee.

11. Managing complaints

How we manage and respond to complaints is very important to the service, our residents and the ongoing improvement journey.

Officers have been working to address new complaints alongside a significant and longstanding backlog, in line with the outstanding audit by Mazars and the Housing Ombudsman. We currently have 138 outstanding complaints for Adur Homes over the period between

January 2020 and July 2023. Of the 138 outstanding, 84 are pre-2023 and 54 are from this year.

Our work to address this includes:

- An Ombudsman self assessment which has informed our Action Plan
- A significant and renewed focus on complaints and developing a clear process for the team
- Developing a new Housing Complaints Policy and an action plan, which was agreed earlier this year and now requires updating to reflect the Housing Ombudsman's Code of Practice
- Updating all our communications to publicise the Housing Ombudsman's contact details and role in complaints intervention
- Developing a new approach as required by the Ombudsman to agree resolutions with tenants before sending a formal response.

It should be noted that there are significant capacity issues in the team which are impacting this work and service improvement work is required to develop the right size team with the requisite capabilities and capacity. This will be carried out when the new Assistant Director for Housing and Homelessness Prevention and the new Head of Resident Services (who holds the corporate lead for complaints policy) start their roles.

As part of the national changes a new Member role for 'complaints' is required for housing authorities, to hold responsibility for complaints and to support a 'positive culture'. Regular reports are also required to show volume, categories and outcomes of complaints and performance/compliance with Housing Ombudsman Orders.

To this end it is proposed that the Cabinet Member for Health and Wellbeing fulfils this Member role, given that they are currently overseeing the Improvement Plan on behalf of the Joint Audit and Governance Committee Member. More detailed reporting on complaints can then be provided to the Joint Audit and Governance Committee as part of this Improvement Plan progress update going forward.

## 12. Freedom of Information Requests (P 19)

Under the Freedom of Information Act 2000 there is a statutory process for dealing with Freedom of Information Act requests within

a statutory timeframe, which is 20 working days from receipt of the request. A snapshot of the state of play was taken on 28/4/23 when there was a total of 49 outstanding FOIs for the service dating back to 2021, including:

- 17 for Adur Homes, of which 13 have been completed and 4 remain outstanding
- 32 for the rest of Housing, of which 28 have been completed and 4 remain outstanding

It is anticipated that these will all be completed by October 2023

As of 30/8/23 there were 28 open requests for information across Housing, including the 8 mentioned above. These are 3 Subject Access Requests and 25 Freedom of Information requests. Of the 28 open requests for information, 17 have passed the deadline of 20 working days. In addition to the FOIs recorded on 28/4/23, there have been a further 16 requests completed, 13 of which were within the deadline.

As confirmed above, progress continues to be made to respond to outstanding requests. Officers are continuing to monitor performance with Housing to help mitigate the issues and drive forward compliance.

#### 4.3. **Working with the Regulator in a changing legislative context**

- 4.3.1. To monitor progress towards regulatory compliance the Regulator has stipulated that there will be 'intensive engagement' until Adur Homes is deemed to be compliant. The Regulator has reviewed our Improvement Plan and some of our early performance in relation to compliance and safety. It has expressed satisfaction with the plan, the scope of the work, direction of travel and the timelines that we have proposed.
- 4.3.2. Officers have been informed that the Regulator will want to receive third party assurance of rectification as we work towards the conclusion of this improvement plan, through an external consultant audit. This will be required prior to the removal of the notice.
- 4.3.3. It is important to note that the scrutiny of Adur Homes by the Regulator falls under the current regulatory standards. As previously reported, this year will see these standards change through the assent of the new [Social Housing Regulator Act 2023](#), which has now received Royal Assent. This will provide greater powers for tenants against serious

hazards in their homes, ensure a better quality of service and quality of life.

- 4.3.4. This new legislation will enact the reforms outlined in the [Social Housing White Paper](#) aimed at improving the regulation of social housing, strengthening tenants' rights and ensuring better quality and safer homes for residents. This is currently out to consultation.
- 4.3.5. This sets out a new charter outlining what every social housing resident should expect from their landlord:
- **To be safe in your home:** Landlords will be required to ensure every home is safe and secure
  - **To know how your landlord is performing:** Landlords will be held to account regarding repairs, complaints, safety, and how they spend their HRA money
  - **To have your complaints dealt with promptly and fairly:** The Ombudsman will be strengthened, giving swift and fair redress for tenants when needed
  - **To be treated with respect:** The Regulator of Social Housing will be strengthened and there will be improved consumer standards
  - **To have your voice heard by your landlord:** Tenant voice will be increased, for example, through regular meetings, scrutiny panels or being on housing boards
  - **To have a good quality home and neighbourhood to live in:** Landlords will be required to keep homes in good repair and the Decent Homes Standard will be reviewed
  - **To be supported to take your first step to ownership:** Increasing the supply of good quality social homes, and working to give as many residents as possible the right to purchase their own home.
- 4.3.6. As we work with the Regulator over the coming year, there will be a focus on the transition to these new standards to ensure that compliance is adapted to meet these.

## 5. Finding of Maladministration by the Housing Ombudsman Service

- 5.1. Members of the Joint Audit and Governance Committee are asked to note that following a resident complaint to the Housing Ombudsman (regarding an infestation of mice at a property), the Ombudsman has determined that:-

- In accordance with paragraph 52 of the Housing Ombudsman Scheme there was maladministration by the landlord in respect of the resident's report of an infestation of mice; and
- In accordance with paragraph 52 of the Housing Ombudsman Scheme there was severe maladministration by the landlord in respect of its complaints handling.

A redacted copy of the Ombudsman's investigative report is attached to this Report at Appendix 6 and Members are referred to pages 17 and 18. At Appendix 7 is the Ombudsman's Determination Letter dated 29th August 2023 which confirms the Orders made by the Ombudsman and the Ombudsman's next steps.

5.2. The Director for Housing and Communities has taken the following remedial steps to avoid further incidents of maladministration by the Council:

- Reviewed the complaints process and the system in place to support this work, focusing on early intervention.
- Developed a complaints action plan setting out a number of key actions required to improve the process of complaint and our responses to residents.
- Provided a clear direction to staff to ensure:
  - There is clarity around identifying key staff to manage and coordinate complaints;
  - All managers are trained to deal with and manage complaints effectively on behalf of their service area;
  - Contractors are informed of the importance of regular and consistent communications with residents during works;
  - Contractors are quality checked especially on larger schemes;
  - Other agencies are identified to support as soon as possible;
  - Officers accept responsibility where appropriate and put things right on behalf of the Council;
  - That we learn from mistakes and review outcomes to ensure they are not repeated;
  - We manage services with regard to equality and equity and respect to our residents.

In addition to the above remedial measures the newly appointed Head of Resident Services will, working closely with the Director for Housing & Communities, be leading on a thorough review and assessment of resident complaints handling and procedures.

## **6. Engagement and Communication**

- 6.1. In undertaking this work a range of engagement and communication has been carried out, as referenced above as part of the Improvement Plan. In addition, Members have been briefed about this work throughout.
- 6.2. A communication and engagement plan has been developed and a new newsletter developed to inform residents about the work underway.

## **7. Financial Implications**

- 7.1. The resources to ensure compliance with the Regulator's Standards must be found within the Adur HRA which is a ring-fenced account. Overall, the HRA has a significant budget available to it (£14.8m) and every endeavour will be made regarding best use of this existing resource to deliver the improvement plan.
- 7.2. However, to improve financial capacity to deliver any additional requirements arising which cannot be accommodated with the existing approved revenue budget the Council has re-engineered the depreciation calculation for Adur Homes. The calculation has been reviewed and the proportion of the overall valuation on council dwellings applied to residual value has been increased from 30% to 40%, residual value is not depreciated. The proportion applied is a matter for professional judgement and given the scarcity of land within the South East of England, we believe that this is appropriate. In addition to this change the council Instituted a de minimis value for componentisation where components are less than £10,000 in value are depreciated with the main structure, components are depreciated. This followed some benchmarking which identified that our depreciation charge per dwelling was significantly higher than other similarly sized Councils. The annual depreciation charge is transferred to the Major Repairs Reserve. This has built additional capacity into the HRA of around £400,000 a year.

However, any capital resources used to support the revenue budget will need to be replaced by borrowing at an estimated revenue impact of £45,000 per £1m additional borrowing in a full year.

- 7.3. Development of a new Housing Revenue Account Business Plan is currently underway and this will enable the service to track the



management of resources to deliver against the government's Decent Homes Standard and to ensure compliance in all other service areas.

## 8. Legal Implications

- 8.1. Under Section 111 of the Local Government Act 1972, the Council has the power to do anything that is calculated to facilitate, or which is conducive or incidental to, the discharge of any of their functions.
- 8.2. s1 of the Localism Act 2011 empowers the Council to do anything an individual can do apart from that which is specifically prohibited by pre-existing Legislation.
- 8.3. Section 3(1) of the Local Government Act 1999 (LGA 1999) contains a general duty on a best value authority to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 8.4. Section 8 of the Housing Act 1985 continues to place a duty on every local housing authority to consider housing conditions in their district and the needs of the district with respect to the provision of further housing accommodation.
- 8.5. The Monitoring Officer has a duty to report on a finding of maladministration by the Ombudsman under s5 and 5A Local Government and Housing Act 1989

## Background Papers

- [Adur Homes Compliance with Housing Regulator Standards - Joint Audit and Governance Committee 23 March 2023](#)
- [Regulatory Compliance Notice for Adur Homes - Joint Audit and Governance Committee 30 May 2023 and Adur Joint Strategic Sub-Committee 15 June 2023](#)
- [Newsletter for tenants and leaseholders - Adur & Worthing Councils](#)
- [Regulatory Standards](#)
- [Decent Homes Standards](#)
- [Housing Strategy: Enabling communities to thrive in their own home” 2020-2023;](#)
- [Social Housing Act summary](#)
- [The Charter for Social Housing Residents - Social Housing White Paper](#)

- [Landmark Social Housing Act receives Royal Assent to become law](#)
- [Adur District Council Constitution](#)
- [Our Plan](#)

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## **Sustainability & Risk Assessment**

### **1. Economic**

- 1.1 Thriving Economy is one of the four Missions identified in Our Plan and will therefore become one of the key documents informing the direction and prioritisation of the council's work with regard to Adur Homes.
- 1.2 Providing a decent home that is secure, affordable, warm and modern, supports the wellbeing of our residents, enabling those who are able to work to enter and sustain employment and contribute to economic activity.

### **2. Social**

#### **2.1 Social Value**

- 2.1.1 Residents and communities are central to Our Plan and 'Thriving People' is one of the four Missions identified in Our Plan. This mission aims to ensure people are healthy, resilient and resourceful, that they can access the right help when they need it and everyone has a safe, secure and sustainable home.
- 2.1.2 One of the three overarching Principles in Our Plan is Participative, which is based on the explicit intention to work more closely with citizens to involve them in deeper and more meaningful conversations about service design and delivery. Our work to meet the Decent Homes Standard (and the other housing standards linked to tenant participation) therefore forms a central part of the Council's commitments.

#### **2.2 Equality Issues**

- 2.2.1 The council is subject to the general equality duty set out in section 149 of the Equality Act 2010. This duty covers the following protected characteristics: age, gender, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation.
- 2.2.2 In delivering housing services the Council must have due regard to the need to:
  - Eliminate unlawful discrimination, harassment and victimisation

- Advance equality of opportunity between different groups
- Foster good relations between different groups

2.2.3 The participative principle in Our Plan describes the Council's commitment to providing truly inclusive services by listening to underrepresented voices, creating equal access and meeting our equality duties.

2.2.4 The Council's legal duties (Equality Act 2010) will inform the development and delivery of the improvement plan, in relation to eliminating discrimination, advancing equality of opportunity and fostering good relations.

2.2.5 Decisions, actions and areas of investment relating to implementation of the improvement plan, may require Equality Impact Assessments.

## **2.3 Community Safety Issues (Section 17)**

2.3.1 The Council is committed to the promotion of communities as safe places. Our Plan seeks to progress delivery of the Council's community safety commitments by strengthening working partnerships with the Police, communities, businesses and multidisciplinary teams across the council.

2.3.2 As part of our ongoing work to meet the Neighbourhood and Community Housing Standard will see to keep the neighbourhood and communal areas associated with the Adur Homes clean and safe, co-operate with relevant partners to promote the wellbeing and help prevent and tackle anti-social behaviour.

## **2.4 Human Rights Issues**

2.4.1 The actions set out in the report will enable the Council to identify solutions that will enable our residents, communities and neighbourhoods to flourish.

## **3. Environmental**

3.1 Thriving Environment is one of the four Missions identified in Our Plan and key actions include achieving net zero carbon, resilience to climate change and increased biodiversity by restoring natural habitats and minimising waste.

3.2 The improvement plan, as part of the wider work plan for Adur Homes, will as part of these commitments actively contribute to carbon reduction, waste minimisation and biodiversity improvement objectives.

#### **4. Governance**

4.1 In line with the constitution this report is being taken to the Joint Audit and Governance Committee to note and comment. Additional engagement has been undertaken with the Adur Joint Strategic Sub-Committee and the Adur Homes Management Board.

4.2 Further updates, including the improvement plan will be brought to the Joint Audit and Governance Committee on a quarterly basis.

**Appendix 1 - Improvement Plan**

**Appendix 2 - Risk Assessment**

**Appendix 3 - Performance Indicators**

**Appendix 4 - Adur Homes Advisory Board amendments**

**Appendix 5 - Revised Compensation Policy**

**Appendix 6 - Maladministration report**

**Appendix 7 - Maladministration Determination Letter**