

Terms of Reference

Landlord Assurance Board

Introduction:

- 1.1 Effective governance assurance and oversight are essential to deliver high quality council homes and landlord services. It is essential that the Landlord Assurance Board implement actions to rebalance the relationship between the Council and its tenants/leaseholders, ensuring that every tenant and leaseholder is treated with fairness and respect
- 1.2 Whilst the Council has well established mechanisms to monitor performance, risk and compliance, it is important to draw together the various strands of the Housing Landlord Service that collectively demonstrate how the Council operates and performs as a landlord so that these strands can be considered together, enabling collective awareness of this key agenda, whilst also supporting continuous improvement.
- 1.3 The Terms of Reference (ToR) shall govern the operation of a Landlord Assurance Board and therefore these ToR shall only be varied by agreement of the Executive.
- 1.4 Meetings of the Landlord Assurance Board shall be public meetings, and the dates/times of meetings shall be publicly promoted, to include communication on a proactive basis to tenants and leaseholders.
- 1.5 The Landlord Assurance Board shall promote transparency and openness, inviting tenant comment and contributions in a timely manner, so that the Council's decision-making processes are visibly seen to be open and operating in the best interests of current tenants, as well as persons who shall be future tenants, in terms of the Council's responsibility to respond effectively to housing need pressures, including homelessness.
- 1.6 Section 193 of the Housing and Regeneration Act 2008 (the HRA), as amended by the Social Housing (Regulation) Act 2023, affords the Regulator of Social Housing (RSH) the power to set consumer standards that registered providers are required to meet. The 4 new Consumer Standards are:
 - **The Safety and Quality Standard** which requires landlords to provide safe and good-quality homes for their tenants, along with good-quality landlord services.
 - **The Transparency, Influence and Accountability Standard** which requires landlords to be open with tenants and treat them with fairness and respect so they can access services, raise concerns, when necessary, influence decision making and hold their landlord to account.
 - **The Neighbourhood and Community Standard** which requires landlords to engage with other relevant parties so that tenants can live in safe and well-maintained neighbourhoods and feel safe in their homes.
 - **The Tenancy Standard** which sets requirements for the fair allocation and letting of homes, as well as requirements for how tenancies are managed by landlords.
- 1.7 The Landlord Assurance Board will utilise the new Consumer Standards as a benchmark for the internal assessment of landlord activities, enhancing tenant participation in decision-making and oversight of landlord operations.

2.0 Scope

- 2.1 The reference to Council is solely to Central Bedfordshire Council.
- 2.2 The reference to 'tenants' throughout this ToR shall be understood to also mean: leaseholders, shared owners; persons holding an Introductory Tenancy; and also persons who are licensees (e.g. persons aged under 18 living in council accommodation, or persons residing on a transitional basis within a council managed scheme).
- 2.3 The term 'tenants' applies to two constituent groups:
- Central Bedfordshire Council tenants. Primarily, the Landlord Assurance Board (LAB) exists to have governance oversight and to assure the quality of services provided to the Council's own tenants.
 - Other tenants, whether the tenants of other Registered Providers (social landlords) or the tenants of private landlords. The LAB is seeking to promote best practice locally and to ensure that every tenant's home is safe and that the quality of services to all tenants (regardless of who their landlord is) are improving. This is a secondary consideration to the interests of CBC tenants and is concerned with the wider resonance of the LAB's approach and influence across the housing sector. For example, the LAB may seek to engage periodically with the Governance Boards of other Registered Providers, in order to share best practice as well as to promote collaboration that is related to the purpose set out in section 3.0 below.
- 2.4 Please refer to the TPAS (Tenant Participation Advisory Service) report produced in July 2020 for best practice relating to the involvement of tenants within scrutiny arrangements that is at the heart of this Terms of Reference:
- [Successful Scrutiny for Council Tenants Report Jul20.pdf](#)
- 2.5 The LAB shall have regard to best practice in devising arrangements for recruitment of tenants (or their advocates) to the LAB which must be in accordance with the Membership Policy that conforms to the principles of this ToR, and the parameters for tenant membership at section 6.0 below.

3.0 Purpose

- 3.1 To oversee compliance with the Consumer Standards, published by the Regulator of Social Housing and feedback to relevant Committees from a resident's point of view in relation to delivery against those Standards
- 3.2 To receive reports on any decision to self-refer at the earliest opportunity whilst not compromising the requirement for timely action to be taken, especially where the safety of a tenant is a material consideration. The Council has a responsibility associated with the co-regulation principle, to self-refer to the Regulator of Social Housing where any breach of the Consumer Standards is identified.
- 3.3 To promote collective awareness and visibility relating to regulatory assurance, financial resilience, risk management, performance and compliance on all matters relating to the Council being an effective and responsive landlord. The LAB shall develop a collaborative

relationship with the Executive that meaningfully embraces the voice of tenants in ways that are convenient to every tenant, demonstrating fairness and respect as a primary objective.

- 3.4 To ensure that tenants are encouraged and facilitated to influence council decisions that have the potential to improve the lived experience of tenants, to make tenants safer in their homes or local neighbourhood, to improve the quality of services that tenants benefit from.
- 3.5 The LAB will have oversight of and receive information and reports in relation to the following areas and will provide feedback as appropriate to Executive as the basis for an informed decision.
- Risk and regulatory compliance information, including progress updates on any improvement or remedial actions required.
 - Performance and benchmarking information, to support continuous service improvement. The LAB shall, at least once on an annual basis, conduct an annual review of case studies in these four areas to serve as a learning opportunity and gather valuable insights into tenants' lived experiences. The recommendations and lessons learned from LAB reviews will be assessed to ensure that appropriate actions are implemented and monitored regularly.
 - Complaints performance data, including annual self-assessment, trends and insights as well as continuous improvement. The LAB shall, at least once on an annual basis, review an anonymised complaint as a learning opportunity. All judgements of maladministration by the Housing Ombudsman shall be reported to the LAB and lessons-learned shall be reviewed ensuring that appropriate action is being taken to remedy service failures.
 - Commercially sensitive decisions, which would be the subject of a part 2 Executive meeting, which are likely to relate to investment decisions will not be reported to LAB.
- 3.7 An annual plan/forward plan will be signed off by the LAB at the beginning of each financial year. Reports will only be added to the forward plan by exception with approval of the Chair of the board.
- 3.8 The LAB shall embrace tenant voice, ensuring that the views of all tenants are reflected in the decisions and service improvements that are proposed, including learning from Tenant Satisfaction Measures (TSMs), as well as any external assurance which is commissioned by officers. Relevant Audit reports produced within the Council or externally commissioned shall be reported to the LAB.
- 3.9 The primary remit of the LAB shall be to improve the outcomes for tenants framed by the Consumer Standards limited specifically to the Council operating as a landlord.
- 3.10 Oversight of the implementation and delivery of commitments and strategic action plans relating to the Council's Landlord Service, including (but not limited to), the: Housing Regulatory Development Plan; the Housing Asset Management Strategy, HRA Business Plan and the Affordable Housing Development Plan. The LAB shall also have oversight of the proposed Housing Revenue Account Business Plan Strategy (expected before September 2025), taking account of stock condition survey information and the current Housing Asset Management Strategy (HAMS).

- 3.11 The LAB shall receive financial information in relation to have Housing Revenue Account (HRA) budget and Capital Programme spending, delivery of agreed programmes/ projects, this will allow for assurance that budget spending is within acceptable parameters and that the HRA Business Plan remains financially viable and ideally financially resilient. This shall include oversight and scrutiny of Business Cases related to investment in new homes as well as investment to maintain or improve the Council's housing stock where recommendations from the LAB can be made to Executive. This requirement for assurance and oversight does not replace the well-established process for approval of Capital Business Cases that is set out within the Council's Constitution.

4.0 Links to other Corporate Bodies/Groups:

- 4.1 The majority of decisions where the LAB shall have oversight, will be within the scope of delegated officer/Executive member authority.
- 4.2 Where a LAB initiative or proposal exceeds the threshold for operational decision making or authority under the Scheme of delegation a recommendation may be made to the Executive through an evidence-based report. Reports in relation to the Council's functions as Social Landlord that require Executive approval will ordinarily be considered by the LAB in advance of being presented to Executive.
- 4.3 The LAB is additional and complimentary to the existing well-established structures that exist to support scrutiny (internal assurance), policy development, and also decision-making arrangements that exist for all other Council services. The LAB will be able to inform and influence decisions by making recommendations to the Executive.
- 4.4 Importantly, LAB exists to provide a single focus for political and professional leaders to consider landlord-related matters in one place and ensure there is a focus and grip on regulatory responsibilities, with a particular regard to the updated Consumer Standards published by the Regulator of Social Housing.
- 4.5 The LAB will produce an annual report for consideration by the Social Care, Health and Housing Overview and Scrutiny Committee (SCHH OSC), as well as Executive. This annual report will also form part of the Council's overall governance and assurance arrangements, forming part of the Local Code of Corporate Governance. The purpose of this annual report is to connect the Housing Landlord perspective directly to the wider Housing agenda that is within the remit and oversight of the SCHH OSC, as well as the Executive.

5.0 Membership:

- 5.1 The composition of the Landlord Assurance Board and tenant membership criteria is set out in the Tenant Membership Policy. The board will be comprised of up to 5 Central Bedfordshire Councillors to be appointed on a politically proportionate basis (one of whom must be the relevant Executive Member) and up to 5 tenants or leaseholders.
- 5.2 The LAB may co-opt voting members subject to the Council's Co-option Scheme.
- 5.4 In addition to the membership of the LAB, the following persons shall attend meetings of the LAB as non-voting members/attendees:

- **Head of Housing Property** as the person responsible for building safety (or a named substitute). This is the statutory role that is a requirement of the Social Housing (Regulation) Act 2023.
- **Head of Housing Operations** (or a named substitute).
- **Head of Housing Regulation and Strategic Initiatives** (or a named substitute).
- Either the **Service Director, Housing or the Director of Adult Social Care and Housing**. This officer role shall be the accountable person to support the chair of the LAB, whilst also providing professional advice to the Executive member responsible for Housing (who may also be a board member or the chair)
- **Service Director Finance** (or named substitute). This can be the Business Partner Finance, responsible for the Housing Revenue Account Business Plan.

5.5 The Chair and Vice Chair of the LAB shall be elected by the full membership of the LAB.

5.6 Other attendees would be invited to attend on specific items to present reports and respond to questions. Other attendees may include tenants and leaseholders as well as advocates of tenants whose views are being represented to the LAB.

6.0 Tenant Participation

6.1 Tenant voice is a critical part of the Landlord Assurance Board. The LAB shall develop a Membership Policy to include a recruitment pathway and also a training plan for LAB members.

6.2 Whilst there is no remuneration for this role, the Council will fund a package of training and support via the Tenant Participation Advisory Service (TPAS).

6.3 The opportunity to be a nominated tenants' representative will be promoted to all tenants, via email, the Council's website, the next edition of the tenants' newsletter.

7.0 Frequency and Format of meetings:

7.1 Meetings will take place on a bi-monthly basis: 6 meetings per annum. They shall be public meetings. There will also be training sessions.

7.2 The meetings shall be held during the day and will be operated as hybrid meetings, enabling participants to attend in person or remotely as required.

7.3 Papers must be published 5 clear working days in advance of the LAB.

7.4 Meetings will be a maximum of 3 hours long. All unheard items will be moved to the next meeting.

Central Bedfordshire in contact

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