

Response

TSA consultation on “Data requirements for the regulation of private registered providers”

A response from the National Housing Federation

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Response - Data requirements for the regulation of private registered providers

The National Housing Federation represents 1,200 independent, not-for-profit housing providers in England and is the voice of affordable housing. Our members provide two and a half million affordable homes for more than five million people and deliver a wide range of community and regeneration services.

1.0 Summary

We thank the Tenant Services Authority for the opportunity to respond to this consultation. Our members are always concerned and ready to comment on the extent of regulatory data collection. We regard it as our first duty to represent as accurately as possible the concerns and views they express to us.

First some general points concerning this consultation and the sum of data submission required by the regulator:

- This response is informed by a survey conducted among members.
- Our understanding is that the proposed new data requirement will consist solely of CORE, the annual financial return (FV5), the quarterly risk and financial survey and this return (referred to in this response as new NROSH), and that there will be no requirement to submit a separate performance indicator set of questions, or any other dataset.
- Our further understanding is that data collected under the new NROSH will all be at national or local authority summary level, will involve just one return each year via an online survey and will not involve toolkits or querying of landlords' housing management systems and automatic transfer to the NROSH server. If this is correct, we acknowledge that the end of a requirement to provide data at the individual property level in itself reduces the burden of data provision. We feel though that the effectiveness of this consultation may be compromised by the lack of a clear explanation of the method of data collection proposed.
- We find it unfortunate both that the response time allowed for this consultation was set at less than half that recommended in cabinet office guidelines and that the final decision on content will be taken roughly halfway into the year on which the first return will be based.
- Some parts of the proposed requirement are new. In view of the late notice given, we suggest that a practice used previously in the RSR should be adopted for new items, ie that they should be considered non-compulsory in the first year to give providers the opportunity to set up systems to record them accurately and efficiently.
- We assume that there are no changes to the quarterly risk and financial survey. If (or when in the future) this is not the case, we expect that the TSA will be consulting on its content separately.

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2.0 Response to specific questions

1. Do you think that the nature and content of the questions which we propose to ask in the annual return contain the right balance of information, and are sufficient to allow registered providers to meet their obligations under the Governance standard?

Many of the requirements under the governance standard are very overarching and deal with outcomes which depend on very much more than anything which can be derived from a set of raw figures. The questions in the new NROSH can inform background, but not in themselves determine coherence to the standard.

The view of some of our members is that much of the data requested, both now and in the past, either goes beyond or is not relevant to whether they meet Governance standard obligations. In these circumstances we believe in principle that the onus should be on the regulator to demonstrate the relevance of each item asked for. Because most of the items asked for in these proposals have been asked every year for a while, in future this should perhaps apply particularly to new items when asked for the first time.

There are a number of areas where, based on feedback from our members, we feel that the proposed data requirements will create significant difficulties for housing associations and make demands that are excessive. These are:

- a. Numbers of mutual exchanges, particularly at local authority level and broken down three ways (general needs, supported housing, older people's housing), particularly because a large proportion of such exchanges are arranged between tenants, with the landlord's involvement limited to the granting of consent, which can be done by front-line housing officers in routine cases, meaning that data may not be held centrally;
- b. Information about some types of non-social and sub-market rented housing which is seen to lie outside the regulator's remit;
- c. Information which is collected also elsewhere – the examples given being CORE and new NROSH lettings numbers;
- d. Separate figures for homes failing the DHS for general needs, supported housing and housing for older people;

In addition we would also observe that:

- a. To report on service charge levels for Affordable Rent housing will necessitate an extra complexity to the data held and declared for these properties, because for the purposes of the 80% limit "rent" means rent inclusive of service charge

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- b. The TSA should provide confirmation that the previous RSR annex section for LSVTs will be no longer required.

We understand that clear and unambiguous definitions (for example of the various categories of social housing referred to throughout the document) will be given – for example making clear what is meant by sub-market housing, social rent as opposed to Affordable Rent etc. We await the publication of these definitions and expect the opportunity to comment on them in due course.

2. Do you have any suggestions for regulatory data that you feel we are missing?

Neither we nor the members we consulted identified any major missing data elements.

The absence of a breakdown of England wide numbers of homes managed for others by type of owner (other RP, LA, other) makes it impossible to derive total homes either owned or managed by RPs. This is not a regulatory issue but one which we feel you should be aware of.