



Consulting Residents in Agency Managed Schemes

A Guide for Housing Associations

Kathleen Boyle (2010)

I have the pleasure of being Chair of SHiP and this gives me the opportunity to introduce the latest good practice briefing.

Consulting with our agency managed residents has proved to be an area of concern for SHiP members. Our research found few organisations had successfully included agency managed residents in their consultation strategy and little best practice guidance was offered by regulators.

The services we support as landlords are funded with public money and the residents in these properties have a right to register their satisfaction or otherwise with their landlord. Complications arise when attempting to consult agency managed residents as the roles and responsibilities of managing agents and landlords are not always clear to residents, and often there is a degree of overlap between the two organisations.

This briefing makes a number of recommendations, primarily dealing with the issue of which organisation should consult on the different housing management services delivered.

Tony Morgan
SHiP Chair

SHiP is a long established group of London and Southeast based Housing Associations working in the fields of support and supported housing. SHiP was originally set up to facilitate housing associations' shared interest in, and monitoring of, agency managed services and this is still a significant element of the work done by SHiP. The remit of SHiP has grown and our partnership provides a forum for information sharing, benchmarking, training and development of best practice. One of the most popular events organised by SHiP is our annual 2-day Brighton conference.

Consulting Residents in Agency-Managed Services

Introduction

This guidance has been produced by SHiP (Supported Housing in Partnership) to discuss how best to consult residents in agency-managed services. It aims to clarify responsibilities and ensure consultation undertaken by Registered Provider and Agent takes place, is well co-ordinated, avoiding duplication and gaps and can be evidenced both in improvements to services and at review.

Residents of supported housing should receive a similar quality and range of opportunities for consultation and involvement regardless of whether they live in agency-managed or directly-provided services. For a variety of reasons, this does not always happen; it is generally agreed that this can be an area of ambiguity or confusion.

The guide focuses only on consultation on housing-related issues. It is assumed that the Agent undertakes consultation on support-related issues. It does not offer general advice on *how* to undertake resident consultation, since there is a great deal of information already available in this area.

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Terminology

- *Resident* includes tenants and licensees
- *Registered Provider* denotes housing providers registered with the Tenant Services Authority
- *Agent* denotes organisations providing a housing management service on behalf of a Registered Provider within the Registered Provider's property.

Background to regulatory and good practice framework

Many areas of regulation, inspection, and good practice guidance touch on issues of consultation and agency-management. Amongst these are:

- Audit Commission Key Lines of Enquiry;
- Tenant Service Authority new regulatory framework;
- Joint working protocol;
- Status survey guidance.

Each of these is discussed in brief detail below.

Audit Commission Key Lines of Enquiry (KLOEs)

The Specialist Function: Supported Housing KLOE asks about a range of resident involvement issues, and also asks whether the organisation uses managing agents for the provision of supported housing and how their performance is monitored. It does not however probe the issue of whether residents in agency-managed services are given as much opportunity to influence the housing services delivery as are those in directly managed services. The following list shows aspects of an excellent service:

- Ensures that it, or its managing agents, provide information and standards of service on which service users have been consulted, and which are appropriate to their housing and support needs.
- Achieves a positive synergy between the role of support and landlord services that minimises duplication and maximises efficient and effective working practices.
- Sets targets for the service provided by managing agents and monitors performance on a regular basis.
- Produces and receives reports with appropriate performance indicators and targets *for all aspects of the landlord services* relevant to supported housing.

Tenant Services Authority: New Regulatory Framework

Registered Providers must deliver on new National Standards in the following six areas:

1. Tenant Empowerment and Involvement
2. Home
3. Tenancy
4. Neighbourhood and Community
5. Value for Money
6. Governance and Financial Viability

They must report annually to tenants on how they are meeting the standards, and how they intend to improve. The standards are supplemented by “local offers” which must be drawn up in consultation with residents. It is for the Registered Provider to discuss with residents what constitutes “local”.

There are two aspects to resident consultation to be considered when thinking about implementing the new Framework within agency schemes:

- How to consult residents when developing and reporting back on the six standards (and the “local offers” which supplement them);
- How to implement Standard 1: Tenant Empowerment and Involvement.

Extracts from Figure 3: page 40 of Framework document

- 1 All standards (except for the Governance and Financial Viability Standard) have a requirement that providers shall set out their service offer for their tenants and then meet these commitments.*
- 2 All providers shall by 1 October in each year publish a report for their tenants (and shared with the TSA) on how they are meeting the TSA standards, including their local offers.*
- 4 We will adopt a proportionate approach to reporting requirements for those providers owning fewer than 1,000 properties. Providers with fewer than 25 properties do not need to produce a separate annual report to their tenants.*
- 5 The report shall detail how tenants have been involved in producing and scrutinising the report.*

In agency-managed services it is the landlord’s standards which will apply (even if the agent is also a Registered Provider). Residents should therefore be consulted on the national standards and local offers, and should receive a copy of the landlord’s annual report. The Landlord will need the Agent’s assistance to ensure that this happens.

Joint working protocol

As part of the work to develop standard management agreements, a joint working protocol was drafted to set out how Supporting People team, Registered Provider, and Agent would work together. Sitra have recently updated this protocol, and the following extracts are relevant here.

Housing Management

1. The Landlord is responsible for monitoring the performance of the agency. If an RSL this must be in line with guidance from the TSA.
2. The Support Provider will make available the results of performance monitoring by the Landlord to the Local Authority Support Commissioner.
3. The Landlord will make available the results of performance information in their areas of responsibility (e.g. on maintenance) in order to facilitate feedback from the Agent and clients on the service provided.

Governance

If the Landlord is an RSL, the TSA expects the RSL to satisfy itself that the housing management provider meets required standards in the areas of governance, risk and financial viability with regard to its ability to deliver housing management services. The Landlord should accept third party reports where possible and work with the Local Authority Support Commissioner to minimize any duplication of monitoring of governance.

Scheme Changes

The Local Authority Support Commissioner, the Landlord and the Support Provider agree that no major changes to the service will take place without meaningful consultation with all stakeholders including clients.

Status survey

Registered Providers which were registered with the Housing Corporation and have over 1,000 units in management were required to undertake periodic Status surveys (Standardised tenant satisfaction survey) in order to complete their Regulatory and Statistical Return (RSR). Where the Agent fitted these criteria they would have included residents in services they managed within their own Status survey, and the guidance suggests they “may wish to share the results with the owning housing association”. For un-registered Agents, or those managing fewer than 1,000 units, there is no requirement to use Status, although they may choose to do so.

Separate Status questionnaires have been devised for supported housing and for sheltered housing. The guidance to the supported questionnaire acknowledges *“the issue of assessing satisfaction with support services as well as housing management services is not at all straightforward. There are complex issues to be resolved in cases where the support is not provided by the housing provider...”*

Agreeing the split of responsibility between Registered Provider and Agent

As part of drawing up this good practice guide, a brief web-based survey was taken of SHiP members. This demonstrated a degree of uncertainty over the best way to avoid duplication and gaps.

The starting point should be agreement over the split of responsibility between Registered Provider and Agent. The following table gives a framework, and the rationale for these suggestions is discussed in the following sections.

What should Agents consult on?

1. All housing management services provided by the Agent.

These are specified in the management agreement – usually including lettings, sign ups, voids management, welfare benefits, rent collection, cleaning common parts etc

2. Any specific areas set out in the management agreement.

Eg some agreements require agents to “Consult on and /or involve residents in changes to the management or services offered at the scheme.”

What should Registered Providers consult on?

1. The quality of the housing management service provided by the Agent.
2. All services provided by the Registered Provider.

This includes all services which are not delegated to the Agent via the management agreement. Examples include cyclical maintenance, neighbourhood management, etc. The Registered Provider is likely to need assistance from the Agent if they are to consult well.

What should be done in partnership?

1. Major changes to services such as merger of Registered Provider or change of Agent

Consultation to be undertaken by Managing Agents

What should Agents consult on?

1. All housing management services which the Agent provides

These are specified in the management agreement – usually including lettings, sign ups, voids management, welfare benefits, rent collection, cleaning common parts etc

2. Any specific areas set out in the management agreement

Eg some agreements require agents to “Consult on and /or involve residents in changes to the management or services offered at the scheme.”

The management agreement should describe the housing management services which are delegated to the Agent, and the standards to which these services should be performed. The responsibility to perform a housing management service includes the responsibility to consult residents about how this service is performed.

A standard management agreement contains several clauses which describe the housing management services which the Agent must carry out such as selecting occupiers, issuing occupancy agreements, collecting rent, etc etc. Many agreements also contain a schedule (usually Schedule 2) listing some specific housing management services. These may overlap with, or expand upon, the body of the Agreement. SHiP has produced a detailed document ¹ listing a wide range of housing management standards including standards for consultation. This is available on the SHiP website.

Management agreements are often unclear on the subject of what consultation should be done and by whom, at what frequency, or to what standard. This provides the background to why both Registered Provider and Agent may not have a clear expectation of what is required. It also makes monitoring difficult.

Recommendation: Registered Providers and Agents should set out in writing the consultation which will be undertaken on housing management issues, how frequently, by whom, and to what standards. This is of particular importance given the new TSA regulatory framework. These should be measurable wherever possible.

¹ SHiP Performance Standards: Guidance for Managing Agents. 2007

These should include the consultation which the Agent will undertake independently, and also the consultation which the Registered Provider will undertake, but for which they will need some support from the Agent. (see following sections).

Recommendation: Where Agents already undertake Status surveys, Registered Providers should receive a copy of the results. The Registered Provider may also wish to set some benchmark standards it expects to see eg “75% of residents to be very satisfied or fairly satisfied that their views are being taken into account” (Question 25 of Status Supported Housing survey.).

Where Agents do not undertake Status, the Registered Provider should require them to do so every two years, using a cut-down version of Status limited to housing issues only, with all reference to support deleted. The Status questionnaire for Supported Housing is available from the National Housing Federation website
http://www.housing.org.uk/Uploads/File/PolicyBriefings/Supported_4ND.pdf

The following questions should be used: 3,4,5,6 (but deleting 6d), 7 (but deleting g, h, i) 8,21, 22, 23.

Once the extent of consultation expected of the Agent has been clarified, the Registered Provider may need to consider whether the housing management fee is sufficient to cover the cost of this consultation. This should reduce the chance of future disagreement over whether the Registered Provider’s expectations are reasonable.

Consultation to be undertaken by Registered Providers

What should Registered Providers consult on?

1. The quality of the housing management service provided by the Agent
2. All housing management services which the Registered Provider provides

This includes all services except those which are delegated to the Agent via the management agreement. Examples include cyclical maintenance, neighbourhood management, etc. The Registered Provider is likely to need assistance from the Agent if they are to consult well.

Consultation about the quality of the housing management services provided by the Agent

SHiP returns and scheme audits provide the main tools for monitoring the quality of the Agents' services, including the quality of their consultation.

One Housing Group monitors all Agents annually, regardless of risk status (although high risk Agents are prioritised). They check what surveys have been carried out and look at housing meeting minutes to check residents are being consulted.

Notting Hill uses the SHiP audit forms to look at the seven audit areas over a three year cycle (ie they undertake one third of the audit every year, rather than the whole audit every three years). This means they can prioritise audit areas where there may be concerns or interest.

Some Registered Providers have developed other ways of monitoring the quality of Agents' services.

Casa Support issues all residents with a *First Impressions* questionnaire with a freepost envelope in their welcome pack, to get people's views on the services they received as they moved in. The results are collated and fed back to Agents via Casa's Agency Forum meetings. The form is available on the SHiP website

Recommendation: Registered Providers should shift the focus of SHiP audits to place greater emphasis on consultation. This is in two parts:

1. **by checking in particular that Agents are consulting residents well;**

2. **by using scheme visits to consult directly with residents on whether they are satisfied with the services they receive from Agents.**

Registered Providers should also introduce an element of direct consultation in between SHiP audits by, for example, using the CASA model of asking all new residents to complete a postcard on services they received when moving in.

Consultation about the housing management services provided by the Registered Provider

Technically, the Registered Provider should be consulting residents of agency-managed schemes about all the services they provide. Given that the Registered Provider does not know the residents' communication needs, or even their names, it is hard to see how they can consult and involve them well. In reality therefore, the Registered Provider requires the support of the Agent to undertake the consultation well.

Is it reasonable for the Registered Provider to expect the Agent to assist with this consultation? Agents might be asked to help on two different grounds:

- it may be that the management agreement requires the Agent to assist with involvement in consultation. If this is the case, it may be necessary to review whether the payment the Agent receives is sufficient for them to devote time to helping residents to become involved in the Registered Provider's consultation;
- it may be that assisting residents to become involved in consultation is in fact part of the support service, and the Agent should be funding this out of their support contract.

Is assisting with consultation part of the Agency's support service?

If the resident lived independently and received floating support, their support service might well include assistance to report repairs, complain when repairs are done badly, participate in neighbourhood consultation, offer views on the design of new houses, comment on anti-social behaviour etc. If assisting people to become involved in consultation is a support activity when delivered within floating support, then it is reasonable to argue that it is also a support activity when delivered in agency-managed services.

Registered Providers should agree with Agents the assistance which the Agent should give residents in responding to consultation arranged by the Registered Provider.

Day-to-day consultation on services such as repairs

The most frequent area for Registered Providers to consult directly on is likely to be repairs. All residents are usually covered by standard systems (eg post-

cards, call-backs), but it is important that these systems take into account the communication and support needs of the resident. This will require some way of flagging additional needs within the system, and either adapting the form of consultation or requiring the Agent to assist with the consultation.

One Housing Group uses its standard housing management IT system (Universal Housing) to generate letters about repairs and maintenance. This aims to ensure that the managing agent's name is recorded on the system as the contact for such letters, but this is not always achieved, and sometimes letters go direct to the resident.

It may also be necessary to introduce additional routes for Agents to contact key staff at the Registered Provider.

One Housing Group has a dedicated surveyor responsible for all agency-managed services who holds a list of contact details for all Agents. He liaises with the asset management team and reminds them on the need to consult the Agent about cyclical decorations and other matters. Agents all have the contact details for the surveyor and the agency management team, so if they are not getting satisfaction from the call centre over repairs or maintenance issues, they can make direct contact.

Recommendation: Registered Providers should ensure that a robust system is in place to gather satisfaction levels from tenants in agency-managed services and that:

- **the system can accurately identify which respondents are from an agency managed service;**
- **the consultation method used meets the needs of the residents;**
- **responses from agency tenants are acted upon appropriately;**
- **either the Registered Provider's Agency Liaison staff or the managing agent gives feed back to complainants.**

Periodic consultation on services such as cyclical maintenance

Registered Providers use a mix of meetings, postal consultation, specific and general surveys to consult with tenants on a periodic basis for more major issues such as cyclical decorations.

In touch have developed a protocol on how they will work with managing agents when undertaking cyclical decorations and major works. The protocol sets out the procedures and timescales to be followed, but also includes sections on how agents and residents will be consulted. It is available on the SHiP website.

When Stonham staff were visiting one Agent as part of regular on-going monitoring, they asked the Agent to arrange a meeting with residents on the same day. They had concerns that residents might find it confusing to have relative strangers coming to meet them to consult them, but in fact residents understood easily that Stonham were the owners of the building and ultimately responsible for housing matters. Whilst a range of topics were covered, the most frequently raised issue was maintenance.

Registered Providers and Agents consulting in partnership

What should be done in partnership?

1. Major changes to services such as merger of Registered Provider or change of Agent

Under Landlord and Tenant law, residents must be consulted over “any significant change to landlord services”. Where such a change is taking place, the Registered Provider must be involved, but it is unlikely that this will be successful and comprehensive unless it is done with the support of Agents. The next section describes two such significant issues, which Registered Providers have encountered: merger and change of managing agent.

Consultation about a merger

ECHG provide a good example of how to organise consultation about a major issue affecting all residents.

When Riverside and ECHG were consulting residents about the merger of their organisations, they paid special attention to consulting residents in agency-managed services. They devised a major consultation campaign designed to ensure that all residents received the same information, and the same chance to comment, regardless of which Agent provided them with services. A key part of this was a schedule of dates, so that consultation took place within agreed timescales.

Agents were issued with packs containing a covering letter and form on which to record the outcome of consultation meetings, plus a DVD which explained why the merger was being proposed. They also received a large-print, plain-language leaflet with reply form to be passed on to each resident. They were asked to record who had received the information on which date, in order to ensure that no-one was missed.

Agents were asked to arrange meetings, show the DVD and record the comments made at the meeting. Residents who were not able to attend the meeting were to be followed up individually. Residents were also encouraged to respond individually as well as via the meetings.

Consultation about change of Agent

Sixteen out of the 17 SHiP members involved in the research for this good practice guide had experience of changing an Agent. Around half of them had led the consultation themselves, and the other half had asked the Agent to lead on their behalf.

In services where housing management and support are best provided by the same Agent, and that Agent loses or gives up its support contract, the housing management contract must also end. The SP team may involve the Registered Provider in the decision over who wins the new support contract (see SHiP publication *Commissioning and procuring accommodation based supporting people services*) but this is by no means routine. Unless the Registered Provider has strong objections to the support provider, they usually agree to employ them as a managing agent to provide the housing management services.

If the Registered Provider has little or no say in this decision, neither will the residents. It would be misleading to suggest that the residents were being consulted on whether they were happy for the Agent to be changed. But they would certainly need to be informed carefully of why the Agent was changing, and who the new Agent was. Such a change also gives the Registered Provider a chance to check whether residents would like the new Agent to provide housing management services differently

It makes sense to provide information about the change in support provider and the change in housing management provider at the same time, in order to avoid confusion, or at the very least, to co-ordinate the information.

Some Registered Providers have had sufficiently regular experience of changing managing agents that they have developed protocols:

In touch works with 55 agencies, and has experience all combinations of changing a managing agent, taking a service back in-house, and changing an in-house service to an agency-managed one. They have also developed a protocol to cover all eventualities.

Their protocol covers practical issues as well as information and consultation. For example, it ensures that premises are inspected for dilapidations so that the out-going Agent can be billed for any work which was their responsibility to undertake. (For example, the management agreement often requires the Agent to leave the premises in good decorative order and the condition of white goods and furniture can very often be a source of contention). This avoids the in-coming Agent demanding costly works which the Registered Provider has to fund, even though they have previously funded the out-going Agent to undertake these tasks.

East Living has developed a clear bullet-pointed list of actions to be undertaken under the headings of: tenants consultation, property, financial information, tenancy agreement, tenancy files, housing management agreement, health and safety service contracts, utilities, suppliers and council tax, housing benefit, Final handover, Tupe, other.

If the SP commissioner is arranging a meeting to allow residents a chance to question them about the change in support provider, it may be possible to use the same meeting to cover housing management changes. However, despite this type of joint working being good practice, it is rare to hear of SP teams facilitating events to allow residents to address them directly on issues to do with service changes.

Recommendation: Registered Providers should develop a protocol for changing a managing agent. The detail will need to be proportionate to the number of times it is likely to occur, and may be no more than a list of bullet points of things to remember to do.

Recommendation: Registered Providers should insist that they are involved in all consultation exercises involving a change of managing agent. This cannot be delegated entirely to the incoming or outgoing Agent, or to the SP commissioner. It is likely that the out-going Agent will need to be involved, or to take the lead, since they know the residents best, but the residents must have the chance to address issues or concerns, or ask questions of, the Registered Provider.

Should Registered Providers issue a legal notice of change of Agent?

Different Registered Providers have received different legal advice on this point, and the answer will depend on exactly how the occupancy agreement has been worded.

The relevant legislation is Section 48 of the Landlord and Tenant Act 1987, which requires that a resident is provided with an address where notices may be served on the landlord. This address must be in England and Wales and can be the name and address of a managing agent. This is important because (also under Section 48) rent cannot be legally demanded if the residents have not been given notice of this address.

All occupancy agreements should be issued in the Registered Provider's name, but must also contain the address to which residents can serve a notice. The first step is therefore to check the "service of notices" clause in the Agreement, to see whether it is the Registered Provider's address or the Agent's address which is included. If this section specifies the Agent's address, then it is clear that under Section 48 residents must be formally notified of the new address to which notices may be served. There is no set format for this notice, but for the avoidance of doubt, the notice should state

that the information is being given in accordance with Section 48 of the Landlord and Tenant Act 1987.

If the address given in the “service of notices” clause is the Registered Provider’s, then it would seem there is no legal requirement to notify residents of the change under Section 48. *Landlords should seek their own legal advice to confirm this position.*

Whichever address is given, it is obviously important that residents are informed of the change of managing agent and, as discussed above, given an opportunity to ask questions and offer comment. The SP commissioner has no role in consulting about the delivery of housing management services.

Recommendation:

- **Registered Providers should check their tenancy agreements to be sure whether they state their own address as the address to which notices may be served, or whether they use the Agent’s address;**
- **If the Agreement uses the Agent’s address, then a notice should be issued under Section 48 informing residents of the change of address;**
- **Legal advice should be sought;**
- **If the tenancy agreement also uses the name and details of the managing agent in the body of the text this change will also need to be advised in writing;**
- **Whether or not there is a need for a formal notice, residents should be informed of the change of Agent, and given an opportunity to ask questions or offer comment.**

Complaints procedures: do they apply in agency-managed services?

Residents and staff in agency-managed services will use the Registered Provider's complaints procedure for all services provided to the residents by Registered Provider. Other complaints, about the services provided by the Agent, may also be received, and this brings scope for confusion.

An ideal complaints system would flag up whether complaints were received from agency-managed services, and notify the agency-management team of these complaints. This is not so vital if the complaint is about a service provided by the Registered Provider (eg repairs), although it might be useful to know whether agency-managed residents were complaining more or less frequently than other residents. However, if it is a complaint about a service provided by the Agent, it is important that the agency team is notified so that this can be followed up through their monitoring procedures.

Recommendation: Registered Providers should have a system where all complaints received about a service provided by a managing agent are referred on to the agency management team.

Given that residents in agency-managed services are covered by two complaints procedures, there is scope for confusion. All residents will be issued with the Agent's complaints procedure on sign-up. Some Registered Providers require the Agent to also issue the RP's complaints procedure, whilst others consider this to be unnecessary duplication. Either way, the resident must know that they have the right to use the Registered Provider's complaints procedure, and must therefore know how to get access to it.

Recommendation: Every resident in agency-managed services must receive clear information about the Registered Provider's complaints procedure and their right to use it.

The residents must also understand what to do when they want to complain about a housing management service provided by the Agent: must they first use the Agent's own complaints procedure, or may they approach the Registered Provider at the same time as, or in advance of, approaching the Agent.

Recommendation: Registered Providers should decide whether they need a separate procedure for agency-managed services, setting out what residents should do if they wish to complain about a service provided by the Agent.

This needs to be communicated to the residents. Options include:

- Requiring Agents to append this information to their own complaints procedure;
- Including the information as part of a 'key facts' document which Agents are required to give to all residents at sign up.
- Allowing the tenant to enter the complaints process at a higher point to avoid frustration or duplication.

Two examples of information sheets for residents, including information on whom to complain to, are available on the SHiP website.

Resident involvement strategies: do they apply in agency-managed services?

Similar issues arise when considering whether resident involvement strategies apply in agency-managed services. In theory, Registered Providers' and Agents' strategies should mesh, so that people are neither over-consulted nor ignored. This presents many practical difficulties where Registered Providers are working with several Agents all with different strategies.

The Agent will clearly take the lead on some areas of resident involvement, but there are others (eg design of new homes) where the Agent is unlikely to have a role. If a supported housing project is sited within an estate or street owned by a single Registered Provider, and there is estate-based consultation on issues such as anti-social behaviour or youth issues, it is important that residents in agency-managed services are given the same opportunity to comment as are other local residents.

There will be many areas of general consultation and involvement in which agency-managed residents can easily be included. For example, many Registered Providers undertake Estate Walkabouts where residents can point out areas of concern or in need of improvement. If there are agency-managed services on the estate, they can easily be included by alerting the Agent.

Including all agency-management services in all Registered Provider communication exercises may be tempting, but is likely to result in duplication and confusion since not all information is relevant. For example, if a Registered Provider's newsletter covers details of the Registered Provider's reward scheme, and agency-managed residents are not eligible for this scheme, sending them the newsletter is likely to be counterproductive.

Some larger Registered Providers have the resources to provide specific information for agency tenants, but due to the costs involved this is unlikely to be the norm.

In touch have 2,500 directly managed supported housing residents and 55 Agents. They produce a dedicated newsletter for supported housing which goes to all directly-managed and agency-managed residents, and this often includes an Agency page with news from some Agents and highlights of any issues which relate specifically to agency-managed services.

Recommendation: Registered Providers should review all areas of their resident involvement strategy and agree when and how residents in agency-managed services should be included.

Summary of recommendations

1 Who should consult on what?

- **Agents should consult on:**
 - ✓ All housing management services provided by the Agent;
 - ✓ Any specific areas set out in the management agreement.
- **The Registered Providers should consult on:**
 - ✓ The quality of the housing management service provided by the Agent;
 - ✓ All services provided by the Registered Provider. They are likely to need the Agent's assistance to do this well.
- **A partnership approach is needed for:**
 - ✓ Major changes to services such as merger of Registered Provider or change of Agent.

2. Consultation to be undertaken by Managing Agents

Registered Providers and Agents should set out in writing the consultation which will be undertaken on housing management issues, how frequently, by whom, and to what standards. These should be measurable wherever possible.

Where Agents already undertake Status surveys, Registered Providers should receive a copy of the results. The Registered Provider may also wish to set some benchmark standards.

Where Agents do not undertake Status, the Registered Provider should require them to do so every two years, using a cut-down version of Status limited to housing issues only, with all reference to support deleted.

3. Consultation to be undertaken by Registered Providers

Consultation about the services provided by the Agent

Registered Providers should shift the focus of SHiP audits to place greater emphasis on consultation. This is in two parts:

- by checking in particular that Agents are consulting residents well;
- by using scheme visits to consult directly with residents on whether they are satisfied with the services they receive from Agents.

Registered Providers should also introduce an element of direct consultation in between SHiP audits by, for example, using the CASA model of asking all new residents to complete a postcard on services they received when moving in.

Assistance required from Agent for Registered Provider consultation

Registered Providers should agree with Agents the assistance which the Agent should give residents in responding to consultation arranged by the Registered Provider.

Consultation about Registered Provider's repairs service

Registered Providers should ensure that a robust system is in place to gather satisfaction levels from tenants in agency-managed services and that:

- the system can accurately identify which respondents are from an agency managed service;
- the consultation method used meets the needs of the residents;
- responses from agency tenants are acted upon appropriately;
- either the Registered Provider's Agency Liaison staff or the managing agent gives feed back to complainants.

4. Registered providers and agents consulting in partnership

Changing a managing agent

Registered Providers should develop a protocol for changing a managing agent.

Registered Providers should insist that they are involved in all consultation exercises involving a change of managing agent.

Information for residents when the managing agent changes

- Registered Providers should check their tenancy agreements to be sure whether they state their own address as the address to which notices may be served, or whether they use the Agent's address;
- If the Agreement uses the Agent's address, then a notice should be issued under Section 48 informing residents of the change of address;
- Legal advice should be sought;
- If the tenancy agreement also uses the name and details of the managing agent in the body of the text this change will also need to be advised in writing;
- Whether or not there is a need for a formal notice, residents should be informed of the change of Agent, and given an opportunity to ask questions or offer comment.

5. Complaints procedures: do they apply in agency-managed services?

Registered Providers should have a system where all complaints received about a service provided by a managing agent are referred on to the agency management team.

Every resident in agency-managed services must receive clear information about the Registered Provider's complaints procedure and their right to use it.

Registered Providers should decide whether they need a separate procedure for agency-managed services, setting out what residents should do if they wish to complain about a service provided by the Agent.

6. **Resident involvement strategies: do they apply in agency-managed services?**

Registered Providers should look at all areas of their resident involvement strategy and agree with their colleagues when and how residents in agency-managed services should be included.

**Further reference material available at
<http://www.shiphousing.org.uk/publications.asp>**

Casa Support First Impressions questionnaire

AmicusHorizon About Your Landlord leaflet

Template for an information leaflet for agency managed residents

INtouch Cyclical Decorations & Major Works Protocol with Managing Agents

SHiP Performance Standards