

Appendix A

Consultation on a Direction to the Regulator of Social Housing to set a Competence and Conduct Standard for social housing

[Link to the Consultation](#)

Question 1

Do you agree that:

- Regulator to set standard required
- Competence and Conduct Standard must require registered providers to
- secure that those of their staff who are relevant individuals have the necessary skills,
- knowledge and experience
- have a written policy setting out—
- approach to managing and developing the skills, knowledge,
- experience and conduct of those of their staff who are relevant individuals;

SCDC response: Yes in principle. However, there does not seem to be any acknowledgement of the differences between housing associations and local authorities who are also stock holding. For local authorities, there will be a wider remit in terms of code of conduct and corporate learning and development strategies, which whilst not specific to housing should be sufficient to meet requirements.

Question 2

Do you agree that only individuals who have a substantive role in managing delivery of housing management services should be in scope of the qualification requirements?

Applies to Senior manager (paid), in role for 6 months/9 month if probation period substantive role in managing services

SCDC response: We agree but we think there should be a fast-tracked process for senior executives or managers that have already spent a substantial amount of time in their current roles. We suggest 5 years or more. The application of the standard should apply to any senior manager/executives taking up a new role or changing roles.

Question 3

Do you agree with the guidance on the scope of housing management services

SCDC response: In principle we agree with the guidance, but some areas require further clarification. These are outlined below.

Question 4

Does the guidance at Annex B1 of the policy statement on which functions will be in scope provide sufficient clarity to enable you to assess which individuals within your organisation will need to gain a qualification?

SCDC response: We are unclear when the contracted providers, need to gain the qualification. We can't retrospectively apply this requirement to existing contracts due to contract law and rules.. We would like more guidance on when/if contractors would be expected to be qualified as this could limit the pool of available contractors It would also be an equality of access issues with smaller contractors not being able to financially meet these additional qualifications etc. Resources in the sector are already limited and this requirement could cause further difficulties with potential new contractors being reluctant to come into the sector. It is unclear that where there is due diligence in terms of managing and scrutinising the performance of contracts carried out by a senior housing manager employed by the housing provider, whether there is also an expectation that the contractor should also have specific qualifications in housing, i.e. for a repairs contract or specialist contractors such as for disabled adaptations.

Question 5

Do you think any other services should be in scope in addition to:

- Customer services management
- Complaints management
- Tenant / resident involvement or empowerment
- Lettings management
- Tenancy management
- Income management
- Repairs and maintenance
- Asset management
- Anti-social behaviour management
- Estate management
- Capital/major works.

SDC response: No

Question 6

Are there any functions listed above that you think should not be in scope?

Yes. Generic contact centre staff in local authorities who provide services to multiple customer groups. In local authorities contact centre, finance, rents, revenue and benefits staff provide services to all residents in the area and not only to those in social housing. The consultation criteria seem to be focussed on organisations which are wholly housing providers. It doesn't consider the structure of local authorities who don't necessarily have staff who are sitting within housing services and only provide services to social housing tenants. An example at South Cambridgeshire District Council is our contact centre which take all calls and then directs them to the relevant department if they can't resolve the

issue. The calls to the contact centre can be about any service of the local authority and not just the services provided to tenants.

Should there be flexibility in the scope for individual organisations where it is not thought that the qualification would bring any benefit? How would this impact third-part contact centres and those that use a contractor as opposed to a DLO?

We would also like it to be made explicit that elected councillors are outside the scope.

Question 7

Does the policy statement provide sufficient clarity to help you to assess which individuals within your organisation will not be in scope of the qualification requirement?

Course content requirements

20. The qualification must be a qualification in housing management focused on managing the

delivery of housing services (“housing management”). It must also be relevant to housing management delivered within social housing.

21. In the case of a Senior Housing Manager, the course content for the qualification in housing

management must develop the learners’ knowledge and skills in the following areas as a minimum:

- a. Professional practice skills for housing management such as collaborative working and exercising professional judgement;
- b. Ensuring needs of tenants are met (for example, those with additional needs);
- c. Customer service in housing including effective engagement with Tenants and delivering respectful and professional housing services;
- d. Relevant housing law;
- e. National housing policy and current trends driving the housing sector;
- f. Embedding organisational policies in housing organisations.

Question 8

Do you agree with the proposal outlined above that individuals must have been in their role for more than 6 months to be classed as a Relevant Person or Relevant SP Manager (except where they are subject to a probationary period)

SCDC response: It would be better to tie this in with the academical calendar, i.e. starts in September, so it may be sensible to have this annually. To apply to those who have been in their role for 6 months or more by the September of each year.

If people are working towards the end of their careers they may not wish to undertake further study. People who have substantial experience in the social housing sector (e.g. 20/25 years +) should be able to apply for a short-term exemption or be passported with a competency interview.

SCDC response: Course requirements too broad for some roles E.g. a senior repairs manager might not need to have such in-depth knowledge of some of the contents outlined but will require other more technical qualifications Senior managers would often seek guidance from subject matter experts in their teams on the areas where they do not have in-depth knowledge. If the aim is to increase knowledge/skills, then more guidance would be appreciated to understand what level would be required for the roles in scope - it would be better to allow flexibility so a matrix of knowledge, experience and qualifications is sufficient to meet the criteria. This allows for the qualification to be met by a manager who has delegated responsibility for the work.

Question 9

Do you agree with the proposal that those staff who have a probation period should have, or be working towards, a qualification within 9 months from the point at which they take up their role

Yes. Subject to comments made above.

Question 10

Do you agree with our proposal that unpaid volunteers should not be required to gain a relevant qualification

SCDC response: Yes. This especially important to allow fully diversity in resident involvement. We would not wish to discourage tenants from participation if they don't wish to undertake any studying

Question 11

Do you assess that any of your unpaid volunteers undertake roles which meet the criteria set out above in Chapter 2 and the guidance in Annex B1 of the policy statement?

SCDC response: We do not have unpaid volunteers in senior roles

Question 12

Do you agree that a level 4 qualification is the correct level for a senior housing manager and individual who is a services provider?

SCDC response: Senior managers/executives who have spent a substantial amount of time in post already have the knowledge and skills and doing a qualification will not further develop those skills. Some Senior colleagues in housing may not have a degree as the profession did not require degrees when they entered the profession. A balance should be struck against the professionalisation of the sector and what these colleagues would actually gain from a qualification over their experience. We would welcome a fast-track approach to gain accreditation in professionalism in the housing sector for more experienced officers.

However, Many senior managers do have foundation, higher degrees and professional qualifications such as (RICS, legal qualifications, accountancy, fire safety). A level 4 or 5 housing qualification will not enhance their knowledge or skill beyond what they already possess. These qualifications may not be in housing management but would still be strong transferable skills and in some cases may have worked with the same customer group. An example would be a financial wellbeing manager who is qualified as a solicitor and has

worked in a law centre or citizen advice centre for many years before moving to a housing provider.

Many colleagues already belong to professional organisations so exemptions should apply to them. These professional bodies already have codes of conduct which are just as robust as any housing codes of conduct.

In addition to this local authorities have their own codes of conduct for staff as public bodies. These codes of conduct are robust and a further code will not add anything.

Question 13

Do you agree that a level 5 qualification or a foundation degree is the correct level for a senior housing executive?

SCDC response: Subject to allowing an exemption for those with substantial experience in their post we would agree to a level 5 qualification for senior housing executives.

We feel there is an EDI issue with rigid criteria - the housing sector has been working hard to increase diversity through various schemes. Requiring a foundation degree from colleagues already in the sector could exclude people who need to be put forward for leadership roles. A full equality impact assessment is needed on the effects of requiring foundation degrees for everyone regardless of the experience they already have. This is especially the case as the housing sector has been at the forefront of giving opportunities to people from disadvantaged groups.

The qualification requirement could limit future career progressions for some people as potentially a person's current role doesn't meet the scope of the requirement to have a qualification, but should they want to move on to another more senior role they could experience restrictions in job mobility. This is especially so in local authorities where a move to leadership can bring in other areas of responsibility. The qualification requirement may reduce inadvertently create an advantage for individuals who already hold level 4 or 5 qualifications. The result may decrease diversity rather than increase it.

Question 14

Do you agree with our proposals outlined above and in section 3.4 of the policy statement that qualifications can be regulated by an equivalent body to Ofqual or a predecessor body?

SCDC response: Yes. However, it must be clear that it should apply for future newly obtained qualifications. We do not agree to it applying retrospectively to qualification gained in the past which were regulated by individual universities.

Question 15

Do you agree that the criteria that qualifications must meet as set out in section 3.2 of the policy statement is appropriate for ensuring senior housing managers and senior housing executives gain the skills, knowledge, experience and behaviours they need to deliver high quality and professional services to tenants?

SCDC response: Criteria is rigid and doesn't provide scope for individualised training plans. Doesn't seem to be any recognition of transferrable skills/qualifications. There should be a higher degree of passporting. There should be recognition that many qualifications are transferable. There should be a process of evaluation which allows individuals to apply for an exemption based on current their qualifications. An example if qualification by a senior HR executive includes many of the communication skills required to work with tenants also.

Other industries accept relevant knowledge acquired through experience and the housing sector should also recognise this as fulfilling the knowledge and experience criteria

Question 16

Does section 3.2 of the policy statement provide sufficient information to allow you to identify which qualifications would meet the requirements for a senior housing manager and senior housing executive?

SCDC response: No. It isn't clear whether qualifications in other disciplines meet the criteria such as RICS

Question 17

Do you agree with our approach to defining what it means to be 'working towards' a relevant qualification as outlined in the policy statement?

Yes subject to he criteria being flexible to other reasons for needing an interruption of studies beyond sickness, maternity leave or being an armed forced reservist

Question 18

Does the information provided above and within Chapter 1 and Chapter 6 paragraph 44b of the policy statement provide sufficient clarity to help you understand the circumstances in which individuals in scope will be deemed to be 'working towards' a qualification?

SCDC response: Limitations in qualifications being provided due to demand being placed after the initial go-live date for the standards. We are concerned about the impact on the service of a local authority such as ours if multiple members of staff need to complete these qualifications. Individual circumstances should be taken into account to the length of time to complete the studies, e.g. if someone's first language isn't that of the qualification materials they may need additional time or people with neuro- diversity. Provision for applying for extensions or an interruption of studies should be included. This is normal for university courses where students can apply for an interruption of studies if unforeseen events do not allow the student to study.

We also think consideration should be given to a postponement for an individual who is already undertaking and committed to a course of study such as a part time higher degree.

Question 19

Considering the costs and benefits outlined within the impact assessment, do you agree that all existing staff within the sector should have, or should begin working towards a relevant qualification within 24 months as outlined in section 4.1 of the policy statement?

SCDC response : No

Those who are at the end of their careers and see no benefit against costs to undertake a course of study

There should also be provision for an exemption from qualifications in exceptional circumstances to allow an exemption to be granted for medical reasons or difficult personal circumstances which makes it difficult for an individual to undertake a course of study.

Question 20

Do you have any additional comments or evidence about the potential impact of the policy proposals as assessed in our impact assessment (Annex C)?

SCDC response: it is not clear what the position is if a staff member does not wish to undertake any further study. It is unclear how it fits within our legal obligations and whether we will be at risk of adverse unfair dismissal findings.

It is also unclear what the position would be if an individual did not pass a course. Would a housing provider be expected to dismiss the individual.

Question 21

Does the information provided above and in section 4.1 of the policy statement provide sufficient clarity on the time limits within which individuals will need to hold or be working towards a relevant qualification within the transition period?

Yes but some flexibility should be built in

Question 24

Do you agree with our proposal as outlined above and described in section 3.6 of the Policy Statement that there should be transitional arrangements in place for those with partially relevant qualifications (which meet or exceed the requirements in section 3.1 of the policy statement, but do not meet all the course content criteria in section 3.2)

SCDC response: Yes. See comments above. We think module based courses are appropriate to allow ease with exemptions and interruptions of studies

Question 26

Do you agree with our proposal as outlined above and described in section 3.7 of the policy statement that there should be transitional arrangements in place for those who have completed an apprenticeship programme without a qualification element provided they meet other criteria?

SCDC response : yes

Question 33

we have set out our assumptions around the familiarisation / implementation costs to registered providers and services providers for the implementation of the full Competence and Conduct Standard including the qualification element of the Standard? Do you agree with these assumptions?

SCDC Response: Whilst there is a rationale to the calculations made, this will differ significantly for individual registered providers, dependent on the numbers of staff and their pay grading that will need to seek a qualification.

Question 34

How many people have you identified as being in scope of the full Competence and Conduct Standard (not just the qualification element of the Standard)? This would be all individuals involved in the provision of services in connection with the management of social housing.

SCDC Response: circa. 130 Full time equivalent

Question 35:

Based on the information provided in the policy statement and associated guidance, how many individuals within your organisation have you assessed to be in scope of the qualification requirements?

SCDC Response: 8

Question 36:

How many of those individuals have you assessed to be senior housing managers?

SCDC Response : 7

Question 37:

How many of those individuals have you assessed to be senior housing executives?

SCDC Response: 1

Question 38:

Having read the requirements set out in Chapter 3 of the policy statement, how many and what percentage of your existing in-scope staff already possess a qualification which is deemed to be a relevant qualification?

SCDC Response: Please provide the number and percentage of staff: 5 FTE, 62%

Question 39:

How many individuals within your organisation that you assess to be in scope currently have a partially relevant qualification (which meets or exceeds the requirements in 3.1 but does not meet all the course content criteria at 3.2) and would be in a position to undertake accredited training / CPD to meet the remaining criteria?

SCDC Response: As a Local Authority it is unclear what other qualifications may count towards being partially relevant. For example, those working in Finance would hold finance qualifications, or those in the generic contract centre are likely to hold customer service qualifications. Within housing some hold technical qualifications in asset management but it is unclear whether these would count.

Question 40:

Please specify whether you pay the apprenticeship levy

SCDC Response: Yes

Question 41:

How many, and what proportion, of those you have assessed to be in scope of the requirements and who need to gain relevant qualification plan to meet these requirements by completing an apprenticeship programme with a qualification element?

SCDC Response: None

Question 42:

How many services providers do you have a direct agreement with for managing the delivery of housing management services to your tenants? What size are your services - micro (less than 10 employees), small (less than 50 employees), medium (less than 250 employees) or large organisation (250 or more employees) and what types of services do they deliver?

SCDC Response: It is unclear the scope of a service provider and further clarification is required. Does this include all contractors we use to carry out maintenance of homes, such as repairs, landscaping etc. Individual contracts may be agreed for bespoke work, such as specific disabled adaptations, specialist contractors for damp & mould, etc. where it is more important that they are able to demonstrate technical abilities and qualifications. To expect them to also hold a housing qualification is likely to impact on the ability to find suitable contractors where there are already difficulties in the market.

Question 44:

We have made an assumption that where people undertake a qualification (not as part of an apprenticeship programme), this will require a commitment from the learner of 8 hours per week over approximately 12 months for both level 4 and 5. This will amount to around 320 hours of study for senior housing executives and 360 hours of study for senior housing managers in total. Do you agree with this assumption?

SCDC Response: Yes, as an average.

We would welcome a fast track approach to those that have worked in housing management for say 5 years or longer.