



Regulator of
Social Housing

Consultation on the introduction of Tenant Satisfaction Measures

Decision Statement

September 2022



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1. Introduction

- 1.1 The Regulator of Social Housing published a consultation on the Introduction of Tenant Satisfaction Measures (TSMs) on 9 December 2021. The consultation closed on 3 March 2022.
- 1.2 This Decision Statement provides a summary of the key areas of feedback and sets out our decision on the final Tenant Satisfaction Measures Standard and accompanying documents. All consultation responses have been considered in reaching our decision.
- 1.3 The Tenant Satisfaction Measures Standard will come into effect on 1 April 2023.

2. Executive summary

- 2.1 The government's 'The Charter for Social Housing Residents: Social Housing White Paper', published in November 2020, set an expectation that the Regulator of Social Housing (the regulator) would bring in a set of TSMs on issues that matter to tenants.
- 2.2 Many social landlords already produce and publish performance information, but it is not always collected on the same basis, making the results harder for tenants to interpret and making it more difficult to compare the performance of different landlords.
- 2.3 Setting clearly defined, universal requirements on TSMs creates a valuable tool allowing tenants to scrutinise their landlord's performance, giving insights to landlords on where they might look to improve their services, and providing a source of intelligence to the regulator on whether landlords are meeting the regulatory standards. In December 2021, we consulted on a proposed set of TSM requirements.
- 2.4 We received 1,098 responses to the consultation on the Introduction of TSMs. Overall we received a positive response to the proposed Tenant Satisfaction Measures Standard, set of TSMs and requirements documents.
- 2.5 The majority of respondents supported the proposed TSMs and considered that the TSM suite would work in providing rounded information to tenants about their landlord's performance. In response to consultation feedback we have made substantive changes to a small number of the TSMs. We have made a number of other more minor changes to ensure TSM definitions are clear or to reflect survey question wording improvements suggested by respondents.
- 2.6 We have amended some technical and tenant survey requirements in response to consultation feedback, mainly to clarify requirements or to increase registered provider transparency on how they collect and calculate TSM data.
- 2.7 We will require registered providers to collect and publish data for 22 TSMs. A summary of the TSMs is set out in Table 1 below, including whether the TSM has been amended following consultation. Full definitions are set out in 'Tenant Satisfaction Measures: Technical Requirements' and in 'Tenant Satisfaction Measures: Tenant Survey Requirements'.
- 2.8 Due to amendments to the TSM suite, some TSM codes have changed from those used in the consultation document. In Table 1, where the TSM code has changed, the new code is used, and the previous code is provided in square brackets.

Table 1: Summary of Tenant Satisfaction Measures

TSMs collected from tenant perception surveys		
Code	Title	Change
TP01	Overall satisfaction	No change
TP02	Satisfaction with repairs	Minor change to survey question wording
TP03	Satisfaction with time taken to complete most recent repair	No change
TP04	Satisfaction that the home is well-maintained	Changed to be an individual TSM (well-maintained and safe were previously combined in one TSM)
TP05 [was TP04]	Satisfaction that the home is safe	Changed to be an individual TSM and minor change to survey question wording
TP06 [was TP05]	Satisfaction that the landlord listens to tenant views and acts upon them	Minor change to survey question wording
TP07 [was TP06]	Satisfaction that the landlord keeps tenants informed about things that matter to them	Minor change to survey question wording
TP08 [was TP07]	Agreement that the landlord treats tenants fairly and with respect	No change
TP09 [was TP11]	Satisfaction with the landlord's approach to handling complaints	Changed to add a filter survey question
TP10 [was TP08]	Satisfaction that the landlord keeps communal areas clean and well-maintained	Change to survey question wording, including removal of 'safe' (which will be covered by revised TP05)
TP11 [was TP09]	Satisfaction that the landlord makes a positive contribution to neighbourhoods	No change to lead proposal. Minor change to survey question wording
TP12 [was TP10]	Satisfaction with the landlord's approach to handling anti-social behaviour	No change
	Tenant knowledge of how to make a complaint	TSM removed from suite

TSMs generated from management information		
CH01	Complaints relative to the size of the landlord	Clarification of definition
CH02	Complaints responded to within Complaint Handling Code timescales	Clarification of definition
NM01	Anti-social behaviour (ASB) cases relative to the size of the landlord	Change to definition regarding ASB cases that involve hate incidents. Removal of requirement to include cases that relate to domestic abuse
RP01	Homes that do not meet the Decent Homes Standard	No change
RP02	Repairs completed within target timescale	Change to definition to include emergency as well as non-emergency repairs, and clarification of definition of responsive repair
BS01	Gas safety checks	Clarification of definition
BS02	Fire safety checks	Clarification of definition
BS03	Asbestos safety checks	Clarification of definition
BS04	Water safety checks	Clarification of definition
BS05	Lift safety checks	Clarification of definition

3. Overview

- 3.1 The government's '*The Charter for Social Housing Residents: Social Housing White Paper*', published in November 2020, set an expectation that the Regulator of Social Housing (the regulator) would bring in a set of TSMs.
- 3.2 The White Paper expected Tenant Satisfaction Measures to have two aims:
- to provide tenants with greater transparency about their landlord's performance
 - to inform the regulator about how a registered provider is complying with the consumer standards under a proactive consumer regulation regime.
- 3.3 We ran a consultation on the Introduction of Tenant Satisfaction Measures between 9 December 2021 and 3 March 2022. In our consultation document we proposed to:
- set a new consumer standard (the Tenant Satisfaction Measures Standard) which would include specific expectations applicable to all registered providers of social housing in relation to TSMs set by the regulator
 - set TSMs, together with related requirements which all registered providers of social housing would be expected to comply with under the TSM Standard. These would be set out in the following documents:
 - a. '*Tenant Satisfaction Measures: Technical Requirements*' and
 - b. '*Tenant Satisfaction Measures: Tenant Survey Requirements*'
 - publish guidance about the submission of TSM information to the regulator.
- 3.4 The consultation comprised twenty questions which sought respondents' views on: the proposed Standard; TSMs and requirements; guidance; and an accompanying draft Regulatory Impact Assessment and draft Equality Impact Assessment of the proposals.

4. Summary of responses received

- 4.1 We received a total of 1,098 responses to the consultation, 982 via the online survey and 116 in writing, predominantly via email.
- 4.2 Of the 1,098 responses received:
- 54% (592 responses) were from social housing tenants in rental accommodation
 - 3% (28 responses) were from shared owners with a registered provider
 - 11% (120 responses) were from a local authority registered provider
 - 17% (184 responses) were from a private registered provider
 - 5% (58 responses) were from a stakeholder organisation
 - 11% (116 responses) were from others¹.
- 4.3 Some registered providers and stakeholder organisations sought tenants' views on the proposals and included tenant feedback within their responses.
- 4.4 This Decision Statement includes the overall numerical response to each consultation question. A more detailed summary is provided in Annex 1. Percentages have been rounded to the nearest whole number and refer to the percentage of those who answered each question (rather than the total number of respondents to the consultation). Some responses were in narrative form and not all responses answered the specific questions asked. Therefore the numerical analysis only includes those where the response can be attributed to a question asked.
- 4.5 Most consultation question response options allowed respondents to provide comments on their answer. Due to the volume of consultation responses this Decision Statement is not intended to summarise all of the comments received, all of which have been considered in reaching our decision.
- 4.6 While we have not published the responses in full with this Decision Statement due to the large number received, this Decision Statement provides a summary of the areas of feedback respondents gave and the amendments we have subsequently made in finalising our approach to TSMs.
- 4.7 A list of respondents to the consultation, where they have given permission to be named, is provided at Annex 2.

¹ Percentages have been rounded to the nearest whole number.

5. Tenant Satisfaction Measures Standard

Overview of response to consultation question 1 – the draft TSM Standard

Consultation question 1

Do you agree that the proposed TSM Standard:

a. sets clear expectations for registered providers?

- Agree
- Disagree – please explain and provide any alternative suggestions where relevant.

b. supports the regulator in ensuring that the TSMs provide tenants with greater transparency about their landlord’s performance (one of the aims of the TSMs in the White Paper)?

- Agree
- Disagree – please explain and provide any alternative suggestions where relevant.

5.1 Question 1a: 1,029 respondents answered this question. Overall, the majority of respondents (92%: 944 respondents) agreed. 8% (85 respondents) disagreed.

5.2 Question 1b: 1,020 respondents answered this question. Overall the majority of respondents (90%: 918 respondents) agreed. 10% (102 respondents) disagreed.

Issues raised by the response to consultation question 1 and the regulator’s response

5.3 117 respondents provided comments as part of their response to this question. Many of these were about the overall approach to TSMs or about the TSM requirements documents rather than the proposed standard. We have considered these comments as part of our analysis of other question responses where appropriate.

5.4 A small number of respondents suggested that the wording of the required outcome in the standard should be amended to require registered providers to collect and provide information to support effective scrutiny by the regulator and other stakeholders, as well as by tenants. While we will be using the TSMs in our regulation, in order to be consistent with our other standards we have not included ‘*the regulator*’ in the wording of this standard. It would be outside of our role to require registered providers to collect and provide information to allow scrutiny by other stakeholders.

- 5.5 A small number of respondents commented that the relationship between the Tenant Satisfaction Measures Standard and other consumer standards should be strengthened or clarified. As set out in our consultation document, the TSM Standard and related requirements will apply in addition to our other existing standards. The TSM suite is not intended to cover all of our consumer standards, or all aspects of a registered provider's performance. We have clarified in '*Tenant Satisfaction Measures: Technical Requirements*' that providers may need to provide to tenants information beyond the specified TSMs in order to meet the TSM Standard.
- 5.6 The Social Housing (Regulation) Bill has now been published². We have considered the content of the Bill and have added "*and process*" to paragraph 2.2a of the standard to reflect section 198C of the Bill. As set out in our consultation document, we will review the TSM Standard as part of our wider review of the consumer standards prior to introduction of our strengthened consumer role.

² The Bill can be viewed at <https://bills.parliament.uk/>

6. Tenant Satisfaction Measures suite

- 6.1 In our consultation document we proposed to introduce 22 TSMs, which reflected the themes and issues set out in the Social Housing White Paper. We proposed 12 TSMs to be collected through tenant perception surveys and 10 TSMs to be collected from registered providers' management information. The full definitions were set out in the draft 'Tenant Satisfaction Measures: Technical Requirements' and 'Tenant Satisfaction Measures: Tenant Survey Requirements'.
- 6.2 Overall the consultation response to the proposed TSM suite was positive, with a majority of respondents supporting the proposed TSMs for each theme. The majority of respondents considered that there were the right number of TSMs, and that the TSM suite would work in providing rounded information to tenants about their landlord's performance.
- 6.3 This section summarises consultation feedback we received about the proposed TSMs and changes we have made to the TSM suite or definitions in response.
- 6.4 Due to amendments to the TSM suite, some TSM codes have changed from those used in the consultation document. Table 2 sets out the TSM codes used in the consultation document and the final codes. References to TSM codes in this section of the Decision Statement (and Annex 1) are to the codes used in the consultation document.

Table 2: Summary of Tenant Satisfaction Measures and code changes

Code used in consultation document	Title	Final code
Overall		
TP01	Overall satisfaction	TP01
Keeping properties in good repair		
RP01	Homes that do not meet the Decent Homes Standard	RP01
RP02	Repairs completed within target timescale	RP02
TP02	Satisfaction with repairs	TP02
TP03	Satisfaction with time taken to complete most recent repair	TP03
TP04	Satisfaction that the home is well-maintained	TP04
Maintaining building safety		
BS01	Gas safety checks	BS01
BS02	Fire safety checks	BS02
BS03	Asbestos safety checks	BS03
BS04	Water safety checks	BS04
BS05	Lift safety checks	BS05
TP04	Satisfaction that the home is safe	TP05
Effective handling of complaints		
CH01	Complaints relative to the size of the landlord	CH01
CH02	Complaints responded to within Complaint Handling Code timescales	CH02
TP11	Satisfaction with the landlord's approach to handling complaints	TP09
TP12	Tenant knowledge of how to make a complaint	Removed from suite

Code used in consultation document	Title	Final code
Respectful and helpful engagement		
TP05	Satisfaction that the landlord listens to tenant views & acts upon them	TP06
TP06	Satisfaction that the landlord keeps tenants informed about things that matter to them	TP07
TP07	Agreement that the landlord treats tenants fairly and with respect	TP08
Responsible neighbourhood management		
NM01	Anti-social behaviour cases relative to the size of the landlord	NM01
TP08	Satisfaction that the landlord keeps communal areas clean and well-maintained	TP10
TP09	Satisfaction that the landlord makes a positive contribution to neighbourhoods	TP11
TP10	Satisfaction with the landlord's approach to handling anti-social behaviour	TP12

Keeping properties in good repair

6.5 The proposed TSMs relating to Keeping Properties in Good Repair were:

- RP01 – Homes that do not meet the Decent Homes Standard
- RP02 – Repairs completed within target timescale
- TP02 – Satisfaction with repairs
- TP03 – Satisfaction with time taken to complete most recent repair.

Overview of response to consultation question 2 – TSMs about timeliness of repairs

Consultation question 2

We are proposing to introduce two TSMs about timeliness of repairs (RP02 Repairs completed within target timescale; TP03 Satisfaction with time taken to complete most recent repair).

Do you agree that both RP02 and TP03 should be used to measure timeliness of repairs?

- Agree – please explain
- Disagree – please explain and provide any alternative suggestions where relevant.

6.6 1,025 respondents answered this question. Overall the majority of respondents (86%: 882 respondents) agreed. 14% (143 respondents) disagreed. There was a difference in results between tenants and registered providers: 94% of tenants who responded agreed that both TSMs should be used compared to 73% of registered providers.

Overview of response to consultation question 3 – TSMs about Keeping Properties in Good Repair

Consultation question 3

There are four proposed TSMs under the theme of Keeping Properties in Good Repair (RP01 Homes that do not meet the Decent Homes Standard, RP02 Repairs completed within target timescale, TP02 Satisfaction with repairs and TP03 Satisfaction with time taken to complete most recent repair).

Overall, do you think they give a well-rounded view of performance under this theme?

- Yes
- No – please explain and provide any alternative suggestions where relevant

Please tell us if you have any comments on any of the individual TSMs under the theme of Keeping Properties in Good Repair.

6.7 998 respondents answered this question. Overall the majority of respondents (78%: 779 respondents) agreed. 22% (219 respondents) disagreed. There was a difference in results between tenants and different types of registered provider: 82% of tenants agreed compared to 69% of private registered providers and 74% of local authority registered providers.

Issues raised by the response to consultation questions 2 and 3 and the regulator's response

- 6.8 Over 800 respondents provided comments as part of their response to these questions. Many respondents welcomed or supported our proposals for TSMs on timeliness. Tenants often commented about their personal experiences of their landlord's repairs service, reflecting the importance tenants place on this service.

RP02 – Repairs completed within target timescale

- 6.9 In our consultation document we proposed that emergency repairs should be excluded from the definition of RP02. We noted standard sector practice is to separate emergency repairs from non-emergency repairs since they are typically subject to distinct target timelines and processes. However some respondents commented that excluding them would mean that a significant proportion of repairs would be excluded, and so this TSM would give an insufficiently rounded view of performance on repairs. Some respondents also commented that registered providers generally collect both emergency and non-emergency repairs data already.
- 6.10 We remain of the view that emergency repairs should be reported separately from non-emergency repairs, as is sector practice. After considering the consultation responses we have amended the definition of RP02 to include emergency repairs. We will require registered providers to collect and publish separate results for emergency and non-emergency repairs.
- 6.11 Some respondents asked for other aspects of the TSM definition to be clarified or amended. We have sought to address queries over the definition of responsive repairs used in this measure, including clarifying that any repairs that are part of planned or cyclical works should be excluded. We have amended the example calculation for RP02 to clarify how different timescales for different types of repair should be reflected.
- 6.12 Some respondents who commented on RP02 raised concerns that it would be difficult to compare registered providers' performance, due to providers being able to set their own timescales for repairs completion. Concerns were also raised that providers might seek to improve their result by setting longer target timescales. The main alternatives suggested were for the definition of RP02 to set required repairs timescales, or RP02 to be amended to measure the average number of days to complete a repair.
- 6.13 We remain of the view that, compared to the feasible alternatives, RP02 represents the most robust and transparent management information measure on responsive repairs that meets the aims of TSMs. We do not think it is proportionate or practical for the regulator to set precise timelines for different types of repair. This is a decision for Boards or governing bodies, taking into account their operating environment and tenant needs.

- 6.14 We acknowledge that differences between registered providers' target timescales will mean direct comparison will be more difficult. However the aim of RP02 is to look at providers' performance against the timeliness standards they have set themselves. We believe the requirement for providers to publish their repairs target timescale alongside their TSM results will provide additional transparency and mitigate against providers setting unnecessarily long timescales.
- 6.15 A small number of registered providers commented that they have moved away from setting target timescales for repairs completion and base their performance reporting on the arrangement of a mutually convenient appointment time with tenants. Our TSM requirements do not prevent providers from arranging mutually convenient appointments with tenants. However as proposed in our consultation document we consider it reasonable to require them to establish target timescales for the purposes of transparently communicating repairs performance.

TP02 Satisfaction with repairs and TP03 Satisfaction with time taken to complete most recent repair

- 6.16 We received many comments that other aspects of a repairs service are important to tenants, including the quality of the repair and landlord communication during the repair. Some respondents, mainly registered providers, suggested amending TP02 or adding other perception survey TSMs to help providers identify whether any particular aspects of their service require improvement.
- 6.17 Given wider feedback that we should seek to carefully manage risks around the length of the survey when deciding the number of perception survey TSMs, we have taken the view that we should not add additional repairs TSMs. However we have changed the wording of the survey question for TP02 to include the word '*overall*', to help prompt tenants to consider all aspects of their experience of their landlord's repairs service. As set out in our consultation proposals, providers will also be able to include additional questions in their perception surveys should they wish, to better understand what drives their tenants' overall satisfaction with the repairs service.
- 6.18 A small number of respondents suggested removing TP03 due to duplication with TP02 and RP02, and to help reduce the length of the survey. However consultation question 2 specifically asked if repairs timeliness should be measured by both RP02 and TP03, and 86% of respondents agreed. We have therefore retained TP03 within the suite.

- 6.19 A small number of respondents commented that being required to ask the same introductory question ‘*Has your landlord carried out a repair to your home in the last 12 months?*’ for both TP02 and TP03 unnecessarily increased survey length. We acknowledge this and have amended ‘*Tenant Satisfaction Measures: Tenant Survey Requirements*’ to allow providers to ask a single introductory question if they ask TP02 and TP03 consecutively. We have also clarified that TP02 must be asked before TP03 to ensure that answers on overall repairs satisfaction are not unduly shaped by consideration of timeliness of repairs alone.
- 6.20 A small number of respondents, mainly registered providers, expressed a preference that repairs satisfaction be measured through a transactional survey (measuring satisfaction with a specific repair) rather than a perception survey (measuring general satisfaction). Many of these comments reflected that providers already carry out transactional surveys on repairs satisfaction and find value in them.
- 6.21 We considered the use of perception versus transactional surveys carefully when preparing our consultation proposals and set out our rationale for using a perception survey for repairs TSMs in the consultation document. This includes that a high proportion of tenants are likely to have recent repairs experience, and that there will be limited additional cost of adding repairs TSMs to a perception survey compared to providers needing to carry out separate transactional surveys in line with requirements set by us. Having reviewed the consultation responses, our view is that there continues to be a solid rationale for asking TP02 and TP03 through a perception survey. As set out in our consultation document, providers will be able to continue to carry out transactional surveys for their own use.

Maintaining building safety

- 6.22 The proposed TSMs relating to Maintaining Building Safety were:
- BS01 – Gas safety checks
 - BS02 – Fire safety checks
 - BS03 – Asbestos safety checks
 - BS04 – Water safety checks
 - BS05 – Lift safety checks
 - TP04 – Satisfaction that the home is well-maintained and safe to live in.

Overview of response to consultation question 4 – Maintaining Building Safety TSMs BS01-BS05

Consultation question 4

Do you agree with the proposal to use the individual homes for which the relevant safety checks have been carried out as the basis for the following Maintaining Building Safety TSMs: BS01 Gas safety checks; BS02 Fire safety checks; BS03 Asbestos safety checks; BS04 Water safety checks; BS05 Lift safety checks?

- Agree – please explain
- Disagree – please explain and provide any alternative suggestions where relevant.

6.23 986 respondents answered this question. Overall the majority of respondents (88%: 867 respondents) agreed. 12% (119 respondents) disagreed.

Overview of response to consultation question 5 – Maintaining Building Safety TSMs

Consultation question 5

There are six proposed TSMs under the theme of Maintaining Building Safety (BS01 Gas safety checks; BS02 Fire safety checks; BS03 Asbestos safety checks; BS04 Water safety checks; BS05 Lift safety checks; TP04 Satisfaction that the home is well-maintained and safe to live in).

Overall, do you think they give a well-rounded picture of performance under this theme?

- Yes
- No – please explain and provide any alternative suggestions where relevant

Please tell us if you have any comments on any of the individual TSMs under the theme of Maintaining Building Safety.

6.24 974 respondents answered this question. Overall the majority of respondents (78%: 762 respondents) agreed. 22% (212 respondents) disagreed. There was some difference in results between tenants and different types of registered provider: 82% of tenants agreed compared to 69% of private registered providers and 74% of local authority registered providers.

Issues raised by the response to consultation questions 4 and 5 and the regulator's response

- 6.25 Just under 700 respondents provided comments as part of their response to these questions.
- 6.26 Some respondents raised concerns about our proposal to use individual homes for which the relevant safety checks have been carried out as the basis for the Maintaining Building Safety management information TSMs (BS01-05). Issues raised included potential risks of gaming or double counting. Some of these respondents suggested alternative approaches to calculating these TSMs. However we also received comments from respondents that supported our proposed approach, including from some registered providers that they already collect data on an individual home basis or would be able to adapt their systems to do so. Having carefully considered consultation responses we have decided to retain our proposed approach.
- 6.27 In response to queries, for TSMs BS01-BS05 we have clarified how compliance must be calculated where more than one required safety check applies to an individual dwelling, and for vacant properties.
- 6.28 As we noted in the consultation document, statutory health and safety obligations extend beyond safety checks and include, for example, addressing remedial actions needed to maintain homes at required standards. We proposed not to incorporate remedial actions into TSMs BS01-BS05 as obligations relating to remedial actions can be complex and the reporting approach, for example on prioritisation of actions, varies widely across providers.
- 6.29 We received comments from some respondents that omitting remedial actions would provide an incomplete picture to tenants and to us of providers' compliance with building safety statutory obligations. Some of these respondents provided suggestions for TSMs on remedial actions. Some respondents suggested that providers should be required to report remedial actions to tenants in other ways rather than through TSMs, and that we should seek assurance on remedial actions as part of the wider regulatory regime.
- 6.30 Having considered consultation responses our view continues to be that seeking to incorporate remedial actions into TSMs BS01-BS05 would increase complexity and reduce transparency. The TSMs BS01-BS05 aim to provide a baseline level of assurance that required safety checks have been completed. The TSMs do not change the requirement for registered providers to comply with all health and safety obligations and to inform the regulator of any significant health and safety compliance issues (including any relating to outstanding remedial actions) in real time.

6.31 We received many comments noting the absence of a TSM on electrical safety, with a small number of these suggesting that we should introduce a TSM in advance of any new legal requirements. We explained in the consultation document that the government was planning to consult on electrical safety in the social rented sector, and that we would decide on the most appropriate action to take in relation to introducing a TSM on electrical safety once this work concluded. Our position remains that we will await the finalisation of government policy before developing a proposed electrical safety TSM. Any proposal to introduce an electrical safety TSM would be subject to further consultation.

TP04 – Satisfaction that the home is well-maintained and safe to live in

6.32 A majority of respondents who commented on this TSM questioned whether ‘safe’ and ‘well-maintained’ should be combined in one survey question. Most of those respondents considered that it was important to measure tenant satisfaction with homes being both safe and well-maintained and suggested that the survey question should be separated into two. We also received comments around how terms like ‘safe’ and the ‘building you live in’ might be interpreted.

6.33 Having considered the consultation responses, we have simplified the survey question so it clearly focusses on safety and we have added another tenant perception TSM to ask about maintenance. The full definitions are set out in ‘Tenant Satisfaction Measures: Technical Requirements’ but in summary the revised tenant survey questions wording is:

TP04 Satisfaction that the home is well-maintained³:

‘How satisfied or dissatisfied are you that [your landlord] provides a home that is well-maintained?’

TP05 Satisfaction that the home is safe⁴:

‘Thinking about the condition of the property or building you live in, how satisfied or dissatisfied are you that [your landlord] provides a home that is safe?’

³ This TSM will be required to be asked for LCRA homes only, to take account of providers’ different responsibilities for the maintenance of LCRA and LCHO homes. Satisfaction that communal areas are well maintained will continue to be a separate TSM applicable to both LCRA and LCHO homes.

⁴ This TSM will continue to be required to be asked for both Low Cost Rental Accommodation (LCRA) and Low Cost Home Ownership (LCHO) homes.

6.34 As set out at paragraph 6.66 below, we received many comments that the proposed TSM on ‘Satisfaction that the landlord keeps communal areas clean, safe and well-maintained’ combined too many different aspects in one question. We have therefore removed ‘safe’ from this TSM; instead tenant satisfaction that landlords keep communal areas safe will be covered by the TSM on ‘Satisfaction that the home is safe’.

Effective handling of complaints

6.35 The proposed TSMs relating to Effective Handling of Complaints were:

- CH01 – Complaints relative to the size of the landlord
- CH02 – Complaints responded to within Complaints Handling Code timescales
- TP11 – Satisfaction with the landlord’s approach to handling of complaints
- TP12 – Tenant knowledge of how to make a complaint.

Overview of response to consultation question 6 – TP11 Satisfaction with the landlord’s approach to handling of complaints

Consultation question 6

Do you agree with the proposal that TP11 Satisfaction with the landlord’s handling of complaints is measured by a perception survey?

- Agree– please explain
- Disagree – please explain and provide any alternative suggestions where relevant.

6.36 972 respondents answered this question. Overall the majority of respondents (68%: 664 respondents) agreed. 32% (308 respondents) disagreed. There was some difference in results between tenants and different types of registered provider: 76% of tenants agreed compared to 52% of private registered providers and 62% of local authority registered providers.

Overview of response to consultation question 7 – TSMs about Effective Handling of Complaints

Consultation question 7

There are four proposed TSMs under the theme of Effective Handling of Complaints (CH01 Complaints relative to the size of the landlord; CH02 Complaints responded to within Complaints Handling Code timescales; TP11 Satisfaction with the landlord's handling of complaints; TP12 Tenant knowledge of how to make a complaint).

Overall, do you think they give a well-rounded picture of performance under this theme?

- Yes
- No – please explain and provide any alternative suggestions where relevant.

Please tell us if you have any comments on any of the individual TSMs under the theme of Effective Handling of Complaints.

6.37 973 respondents answered this question. Overall the majority of respondents (75%: 734 respondents) agreed. 25% (239 respondents) disagreed.

Issues raised by the response to consultation questions 6 and 7 and the regulator's response

6.38 712 respondents provided comments as part of their response to these questions. We received many general comments that registered providers' complaints handling processes varied, and that it was important for processes to be transparent and easy for tenants to access.

TP11 – Satisfaction with the landlord's approach to handling of complaints

6.39 In our consultation document we proposed that this TSM should be asked through a perception survey question open to all survey respondents. We considered this approach would invite wide views from tenants and maximise the statistical accuracy of the results. We received comments supporting this approach, but we also received comments that the results could provide a less reliable measure of how registered providers handle the complaints they receive, because they would include views from tenants who had not made a complaint. Suggestions included adding a filter question to ask whether tenants had made a recent complaint or requiring registered providers to ask the TSM through a separate transactional survey (measuring satisfaction with how a landlord has handled a specific complaint).

- 6.40 After careful consideration of responses we have decided to add a filter question to this TSM. This means that this TSM will continue to be asked as part of a perception survey, but tenants will be asked if they have made a complaint in the past 12 months and only those who answer ‘yes’ will be asked how satisfied they are with their landlord’s approach to handling of complaints. We have decided this because the main aim of this TSM is to measure how well landlords handle complaints made by tenants. We have also considered new English Housing Survey⁵ evidence which collects data on tenant perception of complaints and suggests that using a filter question should still result in a sample size that will produce meaningful results.
- 6.41 We have not changed our proposal that this TSM should be asked through a perception survey rather than a transactional survey as this will allow tenants to answer if they have made a complaint even if it has not been recorded as such by the registered provider.
- 6.42 We acknowledge that adding a filter question to this TSM will mean that tenants who considered or wanted to make a complaint, but did not do so, will not be asked how satisfied they are with their landlord’s approach. We have considered this issue carefully. While we are interested in these tenants’ views, new English Housing Survey evidence suggests this group is likely to be relatively small. Further, we do not think there is a viable way of obtaining meaningful information on this particular issue within the scope of TSM questions. We will consider how we might look at this area in more detail through our wider consumer regulation.

TP12 – Tenant knowledge of how to make a complaint

- 6.43 A small number of respondents commented that the survey question should be amended to ask about different aspects such as ease of making a complaint, or a tenant’s ability or willingness to complain. We consider that these aspects of complaints handling are implicit in the TSM on ‘Satisfaction with the landlord’s approach to handling complaints’. A small number of respondents commented that the proposed survey question wording and response scale was overly complex and suggested it be revised.
- 6.44 Our rationale for including this TSM within the suite was twofold. Firstly it would provide insight about providers’ communication to tenants about how to complain. Secondly it would provide context to interpret CH01 (Complaints relative to the size of the landlord).
- 6.45 On the first point we have subsequently considered new evidence from the English Housing Survey that only a small proportion of tenants who considered making a complaint in the end chose not to do so, and only a small minority of these tenants gave ‘lack of knowledge’ as a reason why they did not make a complaint.

⁵ <https://www.gov.uk/government/collections/english-housing-survey>

- 6.46 On the second point, the addition of a filter question for the TSM on ‘Satisfaction with the landlord’s approach to handling complaints’ will provide contextual data to interpret CH01, as it will give an indication of complaints frequency as reported by surveyed tenants.
- 6.47 We therefore consider the rationale for including a TSM on ‘Tenant knowledge of how to make a complaint’ to be reduced and, in view of this and wider comments that we should seek to carefully manage risks around the length of the survey, have decided to remove this TSM from the suite.

CH01 – Complaints relative to the size of the landlord

CH02 – Complaints responded to within Complaints Handling Code timescales

- 6.48 A small number of respondents raised concerns about a high number of complaints being interpreted as poor performance, or that providers may be incentivised to minimise complaints numbers. We recognised in our consultation document that the total number of complaints in isolation is not necessarily always an indicator of poor landlord performance, especially if higher complaints are the result of a more accessible and transparent complaints process.
- 6.49 We do not intend to use CH01 data in isolation when considering a provider’s complaints processes and outcomes, but our view continues to be the number of complaints received is important in providing a rounded picture of a landlord’s approach. The new filter question for the TSM on ‘Satisfaction with landlord’s approach to handling complaints’ will also provide useful context to the interpretation of CH01. Given this and the overall level of support for the proposed complaints TSMs we have retained CH01 in the suite. We would reiterate that our TSM Standard expects providers to ensure that their TSM information is an accurate, reliable, valid, and transparent reflection of their performance.

Respectful and helpful engagement

- 6.50 The proposed TSMs relating to Respectful and Helpful Engagement were:
- TP05 – Satisfaction that the landlord listens to tenant views and acts upon them
 - TP06 – Satisfaction that the landlord keeps tenants informed about things that matter to them
 - TP07 – Agreement that the landlord treats tenants fairly and with respect.

Overview of response to consultation question 8 – TSMs about Respectful and Helpful Engagement

Consultation question 8

There are three proposed TSMs under the theme of Respectful and Helpful Engagement (TP05 Satisfaction that the landlord listens to tenant views and acts upon them; TP06 Satisfaction that the landlord keeps tenants informed; TP07 Agreement that the landlord treats tenants fairly and with respect).

Overall, do you think they give a well-rounded picture of performance under this theme?

- Yes
- No – please explain and provide any alternative suggestions where relevant

Please tell us if you have any comments on any of the individual TSMs under the theme of Respectful and Helpful Engagement.

6.51 960 respondents answered this question. Overall the majority of respondents (77%: 738 respondents) agreed. 23% (222 respondents) disagreed.

Issues raised by the response to consultation question 8 and the regulator’s response

6.52 518 respondents provided comments as part of their answer to this question.

TP05 – Satisfaction that the landlord listens to tenant views and acts upon them

6.53 Some respondents commented that ‘*listens to*’ and ‘*acts upon*’ are different concepts and questioned whether they could be measured by one survey question. A small number of registered providers flagged that it may not always be possible for them to act upon tenant feedback in a way that tenants want. Alternative suggestions included separating the question into two or removing the ‘acts upon’ element. We acknowledge that providers may not always be able to act upon tenant feedback but we consider it is important that the measure gives tenants the opportunity to say whether they feel their views are generally taken into account. In response to other feedback we have removed ‘*the extent to which*’ from the survey question to simplify it.

TP06 – Satisfaction that the landlord keeps tenants informed about things that matter to them

6.54 A small number of respondents commented on the proposed question wording “*How satisfied or dissatisfied are you with the way your landlord keeps you informed about things that matter to you as a tenant?*”. This included suggestions to make it easier to understand and concerns that it might prompt tenants to provide views solely on their landlord’s communication method. We have considered the feedback and have amended the survey question to “*How satisfied or dissatisfied are you that [your landlord] keeps you informed about things that matter to you?*” A small number of respondents raised concerns that ‘*things that matter to you*’ would generate responses that were too subjective. However a recurring principle within the Social Housing White Paper is that registered providers should understand what matters to tenants through ongoing engagement and communicate with tenants accordingly.

TP07 – Agreement that the landlord treats tenants fairly and with respect

6.55 Some respondents, mainly registered providers, commented that ‘*fairness*’ and ‘*respect*’ were different concepts that could not be measured through one question, or raised concerns that tenants’ responses to this question may be too subjective.

6.56 Having considered all comments received on this TSM, including those that supported asking tenants about fairness and respect, we believe that both concepts of fairness and respect should be retained within the TSM suite. Landlords treating tenants with both fairness and respect underpins the relationship between landlord and tenant and is fundamental to the right organisational culture, and both were an important aspect of the Social Housing White Paper. We are also mindful of wider comments received from respondents that we should seek to carefully manage risks around the length of the survey in finalising the number of tenant perception TSMs. We have therefore retained one TSM covering both fairness and respect.

Other TSMs under this theme

6.57 A small number of suggestions were made for additional TSMs under this theme, including tenant perception questions on knowledge of how to get involved and satisfaction that the landlord provides opportunities to influence decision making. Some respondents also suggested additional management information TSMs, for example the number of tenants formally engaged per 1,000 homes. Overall however there were limited calls for additional TSMs.

6.58 We recognise that the TSMs under this theme do not reflect more intensive forms of engagement. Having considered the consultation feedback our view continues to be that a tenant perception survey is not the most appropriate tool to understand this type of tenant engagement, because typically only a small minority of tenants choose to engage with their landlord in this way.

Responsible neighbourhood management

6.59 The proposed TSMs relating to Responsible Neighbourhood Management were:

- TP08 – Satisfaction that the landlord keeps communal areas clean, safe and well-maintained
- TP09 – Satisfaction that the landlord makes a positive contribution to neighbourhoods (or an alternative: Satisfaction with your neighbourhood as a place to live)
- TP10 – Satisfaction with the landlord’s approach to handling of anti-social behaviour
- NM01 – Anti-social behaviour cases relative to the size of the landlord.

Overview of response to consultation question 9 –TP09 Satisfaction that the landlord makes a positive contribution to neighbourhoods

Consultation question 9

For the TSM relating to satisfaction with the neighbourhood, we have presented a lead proposal and an alternative option. Do you agree with the lead proposal that TP09 is Satisfaction that the landlord makes a positive contribution to neighbourhoods?

- A. Yes I agree with the lead proposal for TP09 which is Satisfaction that the landlord makes a positive contribution to neighbourhoods
- B. No I prefer the alternative option for TP09 which is Satisfaction with your neighbourhood as a place to live – please explain
- C. No I don’t agree with either option – please tell us your suggestion for an alternative TSM on this issue and the reasons for your suggestion
- D. I don’t think that there should be a TSM about satisfaction with neighbourhood in the suite of TSMs – please explain.

6.60 960 respondents answered this question. Overall:

- 481 (50%) respondents agreed with the lead proposal (A).
- 270 (28%) respondents preferred the alternative option (B).
- 121 (13%) respondents did not agree with either option (C).
- 88 (9%) respondents did not think there should be a TSM about satisfaction with the neighbourhood in the suite of TSMs (D).

6.61 63% of tenants who responded preferred the lead proposal 'Satisfaction that the landlord makes a positive contribution to neighbourhoods'. Registered provider views were more mixed: 25% of private registered providers and 35% of local authority registered providers who responded preferred the lead option, and 38% of private registered providers and 36% of local authority registered providers preferred the alternative option 'Satisfaction with your neighbourhood as a place to live'.

6.62 Issues raised by the response to this consultation question, and our response, are set out in paragraphs 6.68 - 6.74 below.

Overview of response to consultation question 10 – TP10 Satisfaction with the landlord's approach to handling of anti-social behaviour

Consultation question 10

Do you agree with the proposal that TP10 about satisfaction with the landlord's handling of anti-social behaviour is measured by a perception survey?

- Agree – please explain
- Disagree – please explain and provide any alternative suggestions where relevant.

6.63 953 respondents answered this question. Overall the majority of respondents (71%: 673 respondents) agreed. 29% (280 respondents) disagreed. There was some difference in results between tenants and different types of registered provider: 75% of tenants agreed compared to 57% of private registered providers and 68% of local authority registered providers.

6.64 Issues raised by the response to this consultation question, and our response, are set out in paragraphs 6.76 - 6.80 below.

Overview of response to consultation question 11 – TSMs about Responsible Neighbourhood Management

Consultation question 11

There are four proposed TSMs under the theme of Responsible Neighbourhood Management (NM01 Anti-social behaviour cases relative to the size of the landlord, TP08 Satisfaction that landlord keeps communal areas clean, safe and well-maintained, TP09 Satisfaction that landlord makes a positive contribution to neighbourhoods and TP10 Satisfaction with the landlord’s handling of anti-social behaviour).

Overall, do you think they give a well-rounded picture of performance under this theme?

- Yes
- No – please explain and provide any alternative suggestions where relevant

Please tell us if you have any comments on any of the individual TSMs under the theme of Responsible Neighbourhood Management.

6.65 943 respondents answered this question. Overall the majority of respondents (71%: 669 respondents) agreed. 29% (274 respondents) disagreed. There was some difference in results between tenants and different types of registered provider: 79% of tenants agreed compared to 54% of private registered providers and 66% of local authority registered providers.

6.66 Issues raised by the response to this consultation question, and our response, are set out below.

Issues raised by the response to consultation questions 9, 10 and 11 and the regulator’s response

6.67 Just over 700 respondents provided comments as part of their response to these questions.

6.68 Many tenants’ comments showed support for having TSMs on this theme, both directly and indirectly through general comments about their landlord’s performance. Many registered providers generally supported our proposals, noting that the theme was important to tenants, but some raised concerns over whether the proposed TSMs would measure performance that was attributable to the registered provider and whether they would be comparable between providers.

TP08 – Satisfaction that the landlord keeps communal areas clean, safe and well-maintained

- 6.69 Some respondents commented that the proposed measure covered too many issues to be easily interpreted by tenants or landlords, and that it overlapped with the proposed TSM on ‘Satisfaction that the home is well-maintained and safe to live in’. A small number of respondents commented that tenants may answer about communal areas the landlord is not responsible for maintaining.
- 6.70 We have considered these concerns and in response we have amended this TSM:
- We have removed ‘safe’ from this TSM. Satisfaction that a landlord keeps communal areas safe will be covered by the TSM on ‘Satisfaction that the home is safe’.
 - We have amended the filter question to make it more explicit that it covers communal areas the landlord is responsible for maintaining. To ensure the revised filter question is not overly long, we have removed the explanatory wording ‘*that you share with other people in the building*’. We have also clarified the required response scale options for the filter and main question.

TP09 – Satisfaction that the landlord makes a positive contribution to neighbourhoods

- 6.71 In their comments many respondents recognised that providers could have limited control or influence over neighbourhood quality, and that tenant satisfaction with neighbourhoods could be affected by wider factors than those a provider was responsible for.
- 6.72 Where respondents preferred the lead proposal (Satisfaction that the landlord makes a positive contribution to neighbourhoods) this was generally because they felt it was more relevant to the aims of the Social Housing White Paper and more in keeping with the principle that TSMs should measure performance attributable to the provider.
- 6.73 Where respondents preferred the alternative proposal (Satisfaction with the neighbourhood as a place to live) this was generally because they felt it was not appropriate to assess landlord contribution through a TSM but felt a neighbourhood TSM measuring tenants’ general satisfaction with their neighbourhood was still useful for providers and tenants.
- 6.74 Some respondents commented that there should not be a TSM on satisfaction with neighbourhoods as it was not possible to design one that met all of the principles we had set for TSMs. A small number of respondents suggested that a neighbourhoods TSM should be required only where providers had significant stock density in an area.

- 6.75 Many of those who commented emphasised that contextual factors would need to be taken into account in interpreting the results of any neighbourhoods TSM. Many also flagged the value of tenants being able to provide a comment alongside their response, so that providers could understand the reasons for their response.
- 6.76 We have considered respondents' comments very carefully. We acknowledge that, although supported by the majority of respondents, the lead proposal was less popular with providers particularly given the difficulty in assessing the specific contribution made to the neighbourhood by an individual organisation. As noted in our consultation document, we recognise that there are inherent challenges in designing a TSM on neighbourhood management and that results will have to be interpreted in light of wider contextual factors. On balance, we have decided to retain our lead proposal (Satisfaction that the landlord makes a positive contribution to neighbourhoods) for the following reasons:
- It is clear from the consultation responses that the quality of their neighbourhood is important to tenants.
 - There was a clear preference from tenants and shared owners for our lead proposal. Registered providers' preference was more mixed; in these groups there was no clear preference between our lead or alternative proposal.
 - Alternative survey questions proposed by respondents were generally slight variations on our lead or alternative proposal.
- 6.77 We feel that it is important to include a TSM on this issue. However, we recognise that care will need to be taken in interpreting the results. Our regulatory view of providers' performance in this area will be based on a range of sources of assurance, not the TSM data alone.
- 6.78 A small number of respondents commented that the survey question text '*Thinking about what [your landlord] does to improve your neighbourhood as a place to live...*' was not required. We proposed this text to ensure tenants understood the basis of the survey question, but we acknowledge this increases the question length and could potentially be unnecessary. On balance, and in light of wider consultation feedback on survey question length, we have decided to remove this text.

TP10 – Satisfaction with the landlord's approach to handling of anti-social behaviour

- 6.79 We received many comments, mainly from registered providers, that this question should only be asked to tenants who had reported ASB. Of these, some suggested including a filter question asking if a tenant had reported ASB in the previous 12 months, and some suggested asking the question through a transactional survey.

- 6.80 Several respondents felt that an ASB satisfaction TSM should not be included in the suite as it was not possible to design one that met our principles of being, as far as possible, attributable to provider performance or comparable. Of these a small number of respondents suggested it could be replaced by a management information measure.
- 6.81 After considering consultation responses, where the majority of respondents supported our proposed approach, we have decided to continue to require this TSM to be collected through a perception survey and to not add a filter question. Comments were made by providers, tenants and stakeholders indicating that tenants would have meaningful views on their landlord's approach to handling anti-social behaviour regardless of whether they had reported a case or not.
- 6.82 We received comments that the survey question wording should be amended to ask about particular aspects of a landlord's ASB approach or case handling. Many of these comments were based on concerns that providers would be judged unfairly on factors outside of their control. Some respondents called for the question to include a definition of ASB, as tenant views of what constitutes ASB may vary widely. Some also flagged the wide spectrum in severity of ASB, and therefore that results between providers may not be comparable.
- 6.83 We do not consider it appropriate to include a definition of ASB in the survey question wording, to avoid the question being overly long. Providers will be able to add supplementary questions to the tenant survey for their own use, should they wish, to better understand tenants' reasons for their answers.

NM01 – Anti-social behaviour cases relative to the size of the landlord

- 6.84 Some respondents questioned the inclusion of NM01 in the TSM suite. Some of these suggested removing NM01 completely and some suggested replacing it with other management information measures such as number of cases resolved or handled within timescales. Some also commented that providers use differing definitions of ASB.
- 6.85 Our rationale for including NM01 in the suite was that the Social Housing White Paper highlighted ASB as a key issue affecting tenants and set a specific aim that TSMs should improve transparency on how landlords are performing in this area. We recognise that the total number of ASB cases in isolation will not necessarily be a clear indicator of performance but, after consideration of consultation responses, our view continues to be that it should be included in the TSM suite.
- 6.86 We consider that the definition of ASB provided in '*Tenant Satisfaction Measures: Technical Requirements*', which refers to the Anti-Social Behaviour, Crime and Policing Act 2014, to be sufficient; it is not for the regulator to provide a further definition based on this Act.

6.87 Some respondents questioned the inclusion of ASB cases that relate to domestic abuse and hate crime within the definition of NM01, commenting that registered providers should record and handle these cases in a different way to ASB cases.

6.88 Having considered consultation feedback and government guidance⁶ on ASB, hate crime and domestic abuse, we have amended the definition of NM01:

- We have removed the requirement to include cases that relate to domestic abuse. Government guidance sets out that domestic abuse is not regarded as ASB; the Domestic Abuse Act 2021 provides a separate definition of domestic abuse and legal protections. In line with the Social Housing White Paper, the Social Housing (Regulation) Bill proposes to introduce a power for us to set standards relating to domestic abuse policies and procedures. We will consider how to apply this power, and the most appropriate regulatory tools to monitor compliance with any requirements on domestic abuse, in due course.
- We will require ASB cases that involve hate incidents to be reported as part of NM01, where they also meet the statutory definition of ASB. This is in line with government guidance setting out that hate incidents or hate crimes can be acts of ASB. Providers will be required to report figures on (a) total number of ASB cases and (b) of those cases in (a), all those that involve hate incidents. Having considered government, police and Crown Prosecution Service guidance we consider the use of 'hate incident' to be more appropriate than 'hate crime' because it does not rely on a provider knowing whether the incident would or would not constitute a criminal offence.

⁶ Including MHCLG 'Help with anti-social behaviour for social housing tenants' (2021)

Overall scope of the TSMs

Overview of response to consultation question 12 – the TSM suite

Consultation question 12

A. Please tell us your views on the number of TSMs by selecting one of the following options:

- There are too many TSMs in the suite – please explain
- There is the right number of TSMs in the suite
- There are too few TSMs in the suite – please explain.

B. Do you think there are any TSMs that should be added to or removed from the final suite of TSMs?

- Yes– please tell us what they are and why?
- No

C. Overall, do you think the suite of TSMs works well as a whole in providing rounded information to tenants about their landlord’s performance?

- Yes – please explain
- Partially – some aspects of the TSMs work well but there are weaknesses – please explain and provide any alternative suggestions where relevant
- No – please explain and provide any alternative suggestions where relevant
- Don’t know

6.89 917 respondents answered question 12a on the number of TSMs in the suite. Overall a majority of respondents (70%: 638 respondents) answered that there is the right number. 18% (169 respondents) answered that there are too many, and 12% (110 respondents) that there are too few.

6.90 897 respondents answered question 12b on whether any TSMs should be added or removed from the suite. Overall 44% (393 respondents) answered yes and 56% (504 respondents) answered no. There was some difference in results between tenants and different types of registered provider: 71% of private registered providers and 57% of local authority registered providers responded that TSMs should be removed or added compared to 25% of tenants.

6.91 958 respondents answered question 12c on whether they think the proposed suite of TSMs works well as a whole in providing rounded information to tenants about their landlord's performance. Overall 47% (446 respondents) said yes, 38% (363 respondents) said partially, 6% (59 respondents) said no, and 9% (90 respondents) answered don't know.

Issues raised by the response to consultation question 12 and the regulator's response

6.92 578 respondents provided comments as part of their response to question 12. Many respondents reiterated comments they had made in response to the other consultation questions about adding or removing individual TSMs and about the tenant survey requirements. We also received comments on the overall number of TSMs as well as suggestions for new TSMs.

Overall number of TSMs

6.93 Respondents who commented that there were too many TSMs mainly raised concerns that tenants may experience survey fatigue, that some TSMs duplicated each other, or that having too many TSMs could make overall interpretation difficult.

6.94 We have considered these broad issues alongside the consultation feedback we received on individual TSMs. We have also considered feedback on whether the TSMs work as a coherent suite. Given the levels of support for individual TSMs we do not consider it would be appropriate to significantly reduce the overall number. We have set out in the previous sections our rationale for retaining or removing individual TSMs. We acknowledge the risks around survey length and have concluded that we should not increase the number of tenant perception TSMs, or otherwise increase the required length and complexity of the tenant survey.

Additional TSMs

6.95 Some respondents suggested that there should be an additional TSM on home maintenance, or aspects of property condition such as damp and mould or energy efficiency. As set out at paragraph 6.32, in response to this and wider feedback we have created separate TSMs on 'Satisfaction that the home is well-maintained' and 'Satisfaction that the home is safe'.

6.96 A small number of respondents, mainly registered providers, suggested that a TSM on tenant ease in accessing services or communicating with their landlord should be added to the suite. A small number of respondents, again mainly registered providers, suggested a TSM around trust should be added. A small number suggested a Net Promoter style TSM (asking for example how likely a tenant would be to recommend their landlord to others) would be beneficial.

- 6.97 Given respondents' wider comments about survey length our preference is to set, as far as possible, broader tenant perception TSMs that cover all aspects of a landlord service. We consider that ease, accessibility and trust will be considered implicitly by tenants in answering the existing tenant perception TSM questions. Given the limited number of respondents who suggested a separate TSM on ease, accessibility or trust we have decided not to add one to the suite.
- 6.98 A small number of respondents called for TSMs on other themes, including tenancy support, rent and service charges, and equality including support for disabled tenants. We have considered these suggestions but have concluded that we should not add TSMs on these areas. It is not the intention, or possible, for the TSMs to cover all aspects of landlord services. We have based our suite on the TSM themes set out in the Social Housing White Paper and have been mindful of provider deliverability as well as survey length in deciding the overall number. Our wider regulatory approach requires providers to assure themselves of compliance with our consumer standards, which cover landlord services beyond those measured by the TSMs, and as part of our future approach to proactive consumer regulation we will seek assurance of their compliance in a range of ways.

7. General TSM requirements

Overview of response to consultation question 13 – General TSM requirements

Consultation question 13

Chapter 9 of the consultation document covers some general requirements that apply to all TSMs, which are addressed in more detail in ‘*Tenant Satisfaction Measures: Technical Requirements*’. These include how providers should collect and report the TSMs, the types of homes that should be included, as well as the time period over which data should be reported.

Do you agree with these proposals?

- Agree – please explain
- Disagree – please explain and provide any alternative suggestions where relevant.

7.1 915 respondents answered this question. Overall the majority of respondents (82%: 754 respondents) agreed. 18% (161 respondents) disagreed.

Issues raised by the responses to consultation question 13 and the regulator’s response

7.2 Nearly 400 respondents provided comments as part of their response to this question. Many comments related to the draft ‘*Tenant Satisfaction Measures: Tenant Survey Requirements*’ and are addressed in the next section.

7.3 Some respondents commented that registered providers should be required to provide TSM data not only at registered group level but at additional reporting levels such as by group member organisation, stock type (general needs and supported housing), local authority area or some protected characteristics under the Equality Act 2010. Given we regulate at registered group level, we do not consider it proportionate to require all providers to report TSM data at these additional levels. Registered providers’ structures, geographical spread and stock and demographic profiles vary, and it may not be feasible for many providers to achieve statistically accurate results at other reporting levels.

- 7.4 However individual providers may decide it is appropriate and useful to report their TSM data to tenants at other reporting levels alongside the registered group level information. We have made a small amendment to '*Tenant Satisfaction Measures: Technical Requirements*' to clarify that, in order to meet the Tenant Satisfaction Measure Standard's required outcome, providers may need to report information to tenants beyond that specified in that document.
- 7.5 A small number of respondents suggested that providers should be able to tailor the TSM suite for supported housing tenants, in particular because some tenant perception TSMs may be less relevant to some supported housing tenants. An example given was that a neighbourhood tenant perception TSM may be less relevant to tenants living in short-term accommodation. While we recognise that some tenants might consider individual perception TSMs as not relevant to them, there will be other tenants who are able to give a view. A blanket removal of survey questions for some or all supported housing tenants would exclude them unnecessarily which could be unfair and possibly impact disproportionately on tenants with particular protected characteristics. For those survey questions where there may be a large number of tenants to whom the question is not applicable or they may not know an answer, the response scale includes 'not applicable/don't know' options.
- 7.6 A small number of respondents asked for clarification of how stock managed by Arms-Length Management Organisations, Tenant Management Organisations or through Private Finance Initiative arrangements should be reported, in particular where the managing body is also a registered provider in their own right. We have amended '*Tenant Satisfaction Measures: Technical Requirements*' to clarify that properties owned by one registered provider but managed by another must be reported by the owner.

8. Tenant Perception Survey requirements

Overview of response to consultation question 14 – proposed survey collection method

Consultation question 14

We propose to allow providers to choose the most appropriate survey collection method (e.g. postal, by phone, online etc.) to obtain data for the tenant perception measures TP01-TP12.

Do you agree with this proposal?

- Agree – please explain
- Disagree – please explain and provide any alternative suggestions where relevant.

8.1 927 respondents answered this question. Overall the majority of respondents (79%: 730 respondents) agreed. 21% (197 respondents) disagreed.

Overview of response to consultation question 15 – Tenant perception survey requirements

Consultation question 15

Chapter 10 of the consultation document covers some requirements that apply to the TSMs which are tenant perception measures (TP01-TP12). These requirements are addressed in more detail in '*Tenant Satisfaction Measures: Tenant Survey Requirements*'. The requirements include survey type, survey timing, response options and who is to be surveyed.

Do you agree with these requirements?

- Agree – please explain
- Disagree – please explain and provide any alternative suggestions where relevant.

8.2 892 respondents answered this question. Overall the majority of respondents (83%: 739 respondents) agreed. 17% (153 respondents) disagreed. There was some difference in results between tenants and different types of registered provider: 90% of tenants who responded agreed with our proposals compared to 70% of private registered providers and 78% of local authority registered providers.

Issues raised by the response to consultation question 14 and 15 and the regulator's response

- 8.3 Just over 500 respondents provided comments as part of their response to question 14, and 360 provided comments as part of their response to question 15.
- 8.4 Some respondents suggested that requirements should be more prescriptive in order to increase robustness of the results or comparability between providers. Some respondents suggested that requirements should be less prescriptive, to increase deliverability by providers. However many respondents provided comments that supported our requirements and the balance of prescription and flexibility within them.
- 8.5 Having considered responses we have concluded that we should maintain the overall approach to requirements proposed in the consultation. We have considered evidence on the methodological factors that can lead to variation in survey results and have set out precise requirements in those areas that evidence suggests have the most significant effect on comparability. Where we have allowed flexibility in the approach used, this is because on balance we consider the benefits of, for example, facilitating tenant participation in the survey and deliverability by providers outweigh the risks of the methodology influencing results. We intend to review our TSM requirements at an appropriate point after implementation and as part of this will look to assess the impact of survey methodology on results.
- 8.6 We have expanded the requirements in '*Tenant Satisfaction Measures: Tenant Survey Requirements*' to require greater transparency from providers on how they have carried out tenant surveys and calculated TSM results. We have also made some minor amendments to clarify our requirements where consultation feedback indicated that this would be helpful.

Survey collection method

- 8.7 The consultation proposed that registered providers would be able to choose the most appropriate survey collection method or methods to obtain data for the tenant perception measures, to help meet the different needs of their tenant profile. To ensure transparency on methodology providers would be required to publish a summary of the survey approach used, including survey collection method(s). Respondents who expressed support for this proposal commented that this would allow providers to be flexible and respond to their tenants' preferred communication channels collectively and individually.

- 8.8 Some respondents who disagreed with our proposals commented that we should set more prescriptive survey collection requirements to increase the comparability of TSM results between providers. The most common suggested alternative was that we should specify a single survey collection method, although there was not a consensus on the most suitable method. A smaller number of respondents suggested that the requirements should set out a preferred collection method, or that some methods should not be allowed due to perceived differential impacts on satisfaction scores achieved.
- 8.9 Through our requirements we have aimed to reduce as far as possible the factors that can affect comparability. We recognise that collection method can make a difference to results achieved. Having carefully considered the response to consultation questions 14 and 15, and comments made, we have concluded that we should continue to allow providers to choose the most appropriate survey collection method(s).
- 8.10 We consider that it is important to allow providers to use a range of collection methods to support survey participation by a wide range of tenants, to help ensure a strong response rate and representative sample, and to facilitate deliverability by all providers. We consider that unduly restricting the survey collection method providers can use could reduce their ability to carry out surveys in an inclusive way to ensure that tenants with particular protected characteristics (for example disability) can participate.
- 8.11 We have strengthened the requirements for providers' published summary of the survey method used, to increase transparency and minimise the risk of gaming. Where providers make material changes to their survey methodology, including collection method, year-on-year they must include a summary of these changes and the reasons for them. In any published analysis of year-on-year results providers must refer to any material changes in survey methodology that are likely to significantly affect results. Providers must also publish the full questionnaire used to generate survey results, including any additional questions and introductory or explanatory wording.

Representativeness of responses

- 8.12 A small number of respondents asked for clarification of our requirements for TSM tenant perception results to be representative of the relevant tenant population. A small number called for more prescriptive requirements, for example on obtaining tenant profile data, to ensure that results are representative, and a small number called for less prescription to ensure deliverability by providers.

- 8.13 We have amended our requirements to provide additional clarity, including:
- that all registered providers should have sufficiently robust data on tenant characteristics in order to be able to carry out an assessment of representativeness
 - how providers with a high turnover of tenants should calculate representativeness and sample size requirements
 - effective sample sizes when weighting is applied.
- 8.14 We have also amended related requirements for providers' published summary of the survey approach, to increase transparency:
- the summary of the assessment of representativeness of the sample against the relevant tenant population must include reference to the characteristics against which representativeness has been assessed
 - reasons for any failure to meet the sample size requirements
 - if results have been weighted, the summary must include a reference to all characteristics used to weight the results.
- 8.15 A small number of respondents commented that the tenant perception survey questions and methodology requirements may make it difficult for providers to carry out surveys for some tenants, in particular tenants with additional needs living in supported housing.
- 8.16 A very small number of respondents asked that we produce an easy read version of the survey questions.
- 8.17 In response to wider consultation feedback on the TSM suite we have amended the wording of the majority of the tenant survey questions to make them as clear and concise as possible while meeting the aims of the TSMs.
- 8.18 We have carefully considered whether we should produce an easy read version of the tenant perception survey questions and have concluded that it would not be appropriate to do so. We have reflected on external advice that a single easy read survey would not be appropriate for all tenants that require an alternative format. We have also considered advice that, due to material differences in question wording, results gathered via easy read surveys cannot be reliably combined or compared with results gathered via the tenant perception questions. We have clarified that providers should use other methods to carry out the TSM survey, such as face-to-face, where this will lead to the access barriers faced by a tenant being removed.

8.19 In exceptional circumstances providers are permitted to remove tenant households from the sample frame where there are significant issues that cannot be reasonably surmounted that are likely to prevent the tenant from meaningfully responding to the TSM questions. Recognising that the views of these tenants are important, we have added a new requirement that, where a material number of tenants have been removed from the sample frame, providers must take an appropriate approach to seek the views of these tenants on relevant topics covered by tenant perception measures. Providers must communicate a summary of results from these approaches in a manner they consider appropriate to support effective scrutiny by tenants of their landlord's performance.

Publication of summary of approach

8.20 We have made a number of other changes to our proposed requirements for providers' published summary of their survey approach, in response to consultation feedback:

- A small number of respondents raised concerns that the use of incentives for tenants to encourage survey completion could influence satisfaction scores. Given the small number of comments we have decided to continue to permit the use of incentives, but we have added a new requirement that providers' published summary of approach must include information on the type and amount of any incentives offered.
- A small number of respondents raised concerns that permitting the use of emojis in survey response scales may influence the answer given. We have amended our requirements so that providers who have decided to use emojis to overcome specific barriers must use them alongside the standard response scale, and they must include the emojis used in their published summary of the survey method.
- A small number of respondents suggested that providers should be required to adhere to the Market Research Society Code of Conduct when carrying out in-house surveys, or to use a third-party organisation to carry out surveys, or to have their results independently verified. We consider that mandating the use of external contractors would not be proportionate and may not be deliverable by providers. We have however strengthened our requirements on adherence to Market Research Society Code of Conduct and set out that providers must ensure that calculations used to generate perception measures have been subject to an appropriate level of verification and validation. We have also introduced a requirement that providers must set out the role of any named external contractor in collecting, generating, or validating the reported perception measures in the published summary of their approach.

Requested clarifications

- 8.21 We have clarified in '*Tenant Satisfaction Measures: Tenant Survey Requirements*' that providers may add additional questions to the survey in order to better understand responses to the TSM questions, seek responses on wider or more detailed aspects of performance, or to generate data on tenant characteristics. These questions can be in any appropriate format.

9. Registered providers of different sizes

Overview of response to consultation question 16 – Registered providers that own fewer than 1,000 relevant homes

Consultation question 16

We propose to tailor our TSM proposals for registered providers that own fewer than 1,000 relevant homes. These include not requiring them to submit TSM data to the regulator, allowing them to collect and report TSMs annually according to a reporting year other than 1 April to 31 March and allowing them to undertake a census tenant perception survey.

Do you agree with this approach?

- Agree – please explain
- Disagree – please explain.

9.1 885 respondents answered this question. Overall the majority of respondents (71%: 624 respondents) agreed. 30% (261 respondents) disagreed.

Issues raised by the response to consultation question 16 and the regulator's response

9.2 Just over 400 respondents provided comments as part of their answer to this question.

9.3 We received comments from those who disagreed with our proposals calling for more alignment of requirements for registered providers regardless of size. The main area where alignment was called for was that providers with fewer than 1,000 dwelling units of relevant social housing stock (small providers) should be required to submit their TSM data to us, with some respondents commenting that this would aid regulatory oversight of these providers. Some respondents commented that requiring small providers to submit their TSM data to us would support sector benchmarking and learning from good practice, as well as transparency for tenants. Some respondents noted that small providers have proportionately higher numbers of tenants who are disabled or who are older, and so differential requirements may disproportionately impact tenants that share these protected characteristics.

- 9.4 As set out in our consultation document, our rationale for tailoring TSM requirements for small providers was that:
- TSM results from small providers would not be as comparable as those of larger providers (small providers would have to survey a much higher proportion of their tenants compared to larger providers in order to achieve comparable levels of statistical accuracy. Reflecting this, small providers would not be required to collect survey data as frequently and to the same level of statistical accuracy as larger providers).
 - our proposals would reduce the regulatory burden on small providers, while ensuring that their tenants can hold their landlord to account.
- 9.5 We acknowledge the issues raised by respondents and recognise that tenants of small providers are entitled to the same level of transparency and quality of service from their landlords as tenants of larger organisations. However, we remain concerned about the risks around statistical accuracy and comparability. We have therefore concluded that, at this stage, we will not make it a mandatory requirement for small providers to submit their TSM data to us. However we intend to run a voluntary pilot with small providers to gather data and will consider further this issue in the light of the results of that pilot.
- 9.6 A very small number of respondents commented that allowing small providers to collect and report TSM data to a reporting year other than 1 April to 31 March would make it harder for TSM data to be compared. Half of small providers have a different financial reporting year. We do not consider it would be proportionate to require these providers to amend their reporting cycles for TSM purposes.

10. Guidance about the submission of Tenant Satisfaction Measures information to the regulator

Overview of response to consultation question 17 – draft guidance about the submission of TSM information

Consultation question 17

Chapter 13 of the consultation document covers guidance about the submission of information to the regulator in relation to the TSMs. This includes generally not using TSM information as a source of regulatory intelligence in isolation, but rather as information we may have regard to alongside other sources.

Do you agree with this proposed approach?

- Agree – please explain
- Disagree – please explain.

10.1 906 respondents answered this question. Overall the majority of respondents (91%: 827 respondents) agreed. 9% (79 respondents) disagreed.

Issues raised by the response to consultation question 17 and the regulator’s response

10.2 352 respondents provided comments as part of their response to this question. The majority of respondents supported our proposals, including that we would not generally use TSM information as a source of regulatory intelligence in isolation, but rather as information we may take into account alongside other sources.

10.3 Some respondents suggested that we should provide additional information about how we will use and publish TSM data, and what other sources of information we may consider alongside TSM data.

10.4 We intend to use TSM information in a consistent way to help us identify particular areas where we might wish to seek further assurance from a registered provider that they are compliant with our standards. In line with our co-regulatory approach, we regard board members and councillors as responsible for ensuring their organisations comply with all regulatory requirements, and for demonstrating compliance to us. Where providers are not able to provide further assurance if requested in the course of our wider regulation, this will be reflected in the decisions on compliance that we reach.

- 10.5 Some respondents suggested that registered providers should be allowed to submit contextual data alongside their TSM data and that the regulator should publish this too, to aid interpretation of TSM results. We have amended the guidance to set out that we may publish contextual information alongside TSM results.
- 10.6 The guidance continues to set out that before registered providers are required to make their annual submission of TSM information to us we will specify the TSM information they are required to submit, the form in which that information must be submitted, and by when. We intend to issue technical guidance in due course, to support providers' submission of the first year of TSM data to us in summer 2024.
- 10.7 We intend to publish the first year of providers' TSM data in Autumn 2024.

11. Regulatory Impact Assessment

Overview of response to consultation question 18 – Draft Regulatory Impact Assessment

Consultation question 18

Do you agree with our conclusions in the draft Regulatory Impact Assessment?

- Yes – Please give details
- No – Please give details.

You are invited to include/upload evidence to support your view.

11.1 845 respondents answered this question. Overall the majority of respondents (87%: 735 respondents) agreed with our conclusions in the draft Regulatory Impact Assessment. 13% (110 respondents) disagreed.

Issues raised by the response to consultation question 18 and the regulator's response

11.2 264 respondents provided comments as part of their response to this question. Only a small number of respondents who commented stated that they preferred the alternative options set out in the draft Regulatory Impact Assessment (RIA) of either less extensive tenant perception survey requirements, more extensive tenant perception survey requirements, or a national tenant survey.

11.3 A small number of respondents commented that the costings set out in the draft RIA underestimated operational costs for registered providers or asked for more detail on the assumptions underlying the costings. Having considered these comments our view is that the costings and assumptions set out in the draft RIA do consider costs suggested by respondents and the existing costs providers incur when undertaking satisfaction surveys. We acknowledge that costs may vary between providers based on, for example, stock or tenant demographic profiles. The costs outlined within the RIA should be considered as a sector average and are not intended to be applied on an individual provider basis. We consider that the level of detail set out in RIA cost analysis is proportionate to the level of costs and risks associated with the TSM requirements.

11.4 We have updated the RIA to reflect our intention to run a voluntary pilot to gather data for small providers. We have also updated the RIA to reflect updated (2020/21) data on social housing stock.

11.5 The final RIA is at Annex 7.

12. Equality Impact Assessment

Overview of response to consultation question 19 – Draft Equality Impact Assessment

Consultation question 19

Do you agree with our conclusions in the draft Equality Impact Assessment? The regulator particularly welcomes views on whether the proposals will have a positive or negative impact on people with a protected characteristic (as set out in the Equality Act 2010).

- Yes – please give details. You are invited to include/upload evidence to support your view. Please do not provide any personal sensitive information in your response.
- No – please give details. You are invited to include/upload evidence to support your view. Please do not provide any personal sensitive information in your response.

12.1 821 respondents answered this question. Overall the majority of respondents (90%: 736 respondents) agreed with our conclusions in the draft Equality Impact Assessment. 10% (85 respondents) disagreed.

Issues raised by the response to consultation question 19 and the regulator's response

12.2 261 respondents provided comments as part of their response to this question. The main areas of feedback in relation to equalities are summarised below. A reference to the corresponding paragraph in this Decision Statement is provided:

- Ensuring the survey question wording for the tenant perception measures is more accessible and easier to understand. (Paragraph 8.17)
- Our consultation proposal not to require small providers to submit their data to the regulator may have a negative impact as these providers are more likely to house older and disabled tenants who will not be able to compare their landlord's performance via the regulator's published data. (Paragraph 9.3)
- In relation to achieving representativeness, a small number of respondents commented that the regulator should require providers to achieve representativeness on specific characteristics, while others said that achieving representativeness will be challenging for some providers, due to their lack of data on tenants' protected characteristics. (Paragraph 8.12)

- Support for our proposal to allow providers to choose their survey method(s), with some respondents agreeing that the flexibility in survey method will have a positive equality impact. (Paragraph 8.7).
- A very small number of respondents commented that the regulator should introduce a TSM directly relating to equality. (Paragraph 6.95)

12.3 We have updated the Equality Impact Assessment to reflect consultation feedback in relation to equalities and changes we have made to the set of TSMs and TSM Technical and Tenant Survey Requirements following the consultation.

12.4 The final Equality Impact Assessment is at Annex 8.

13. Other issues raised in consultation responses

Overview of responses to consultation question 20 – TSM proposals overall

Consultation question 20

If you have anything else that you would like to tell us about the proposals relating to the TSMs, including the detailed requirements, please tell us.

- 13.1 We have considered comments made in response to question 20 as part of our analysis of other question responses where appropriate.
- 13.2 A small number of respondents suggested that the TSM requirements should be implemented on a pilot basis or in phases, or that they be reviewed after a period of time.
- 13.3 When planning our approach to developing and implementing TSMs we anticipated that the TSMs and requirements would require review after a period of time, to check that they were working as an effective tool for tenants and for us and were deliverable by landlords.
- 13.4 We have taken care to develop a set of TSMs and requirements that we consider will be effective and deliverable. However we acknowledge that, for some TSMs, considerations have been complex and our decisions finely balanced. We therefore still intend to review TSMs at an appropriate point after implementation and consider whether any changes are required, either to amend or clarify requirements. Any material changes would be subject to further consultation.

14. The regulator's response to the consultation feedback and final position

14.1 After considering consultation responses we have finalised our proposals to introduce Tenant Satisfaction Measures.

14.2 With effect from 1 April 2023 we will introduce:

- Tenant Satisfaction Measures Standard [as set out in Annex 3]
- Tenant Satisfaction Measures: Technical Requirements [as set out in Annex 4]
- Tenant Satisfaction Measures: Tenant Survey Requirements [as set out in Annex 5]
- Guidance about the submission of Tenant Satisfaction Measures information to the regulator [as set out in Annex 6]

15. Annexes to the Decision Statement

15.1 The annexes below and the Decision Instrument are available on the RSH consultation webpage.⁷

- Annex 1: Numerical analysis of individual question responses to the TSM Consultation
- Annex 2: List of respondents to the TSM consultation
- Annex 3: Tenant Satisfaction Measures Standard
- Annex 4: Tenant Satisfaction Measures: Technical Requirements
- Annex 5: Tenant Satisfaction Measures: Tenant Survey Requirements
- Annex 6: Guidance about the submission of Tenant Satisfaction Measures information to the regulator
- Annex 7: Tenant Satisfaction Measures: Regulatory Impact Assessment
- Annex 8: Tenant Satisfaction Measures: Equality Impact Assessment

⁷ Consultation on the introduction of tenant satisfaction measures - GOV.UK (www.gov.uk)



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