

Title: Introduction to the BITMO 23/24 Annual Performance Overview

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1. Background and Purpose of Report

- 1.1. Housing Leeds has a strong and long standing relationship with Belle Isle Tenant Management Organisation (BITMO), managing 1900 properties on behalf of Leeds City Council as part of Right to Manage Regulations. A modular management agreement sets out the functions which are retained by the local authority and delegated to BITMO.
- 1.2. The Social Housing (Regulation) Act sets out that it is the responsibility of landlords to meet regulatory requirements and that where functions are delegated to other services or organisations to deliver on their behalf, that the landlord remains responsible. Leeds City Council therefore remains accountable to the Regulator of Social Housing (RSH) for services provided by BITMO and so must gain assurance from BITMO that services are provided in accordance with regulatory standards. BITMO is not directly accountable to the Regulator.
- 1.3. This report is an annual report to the Leeds Housing Board, covering 2023/24, to provide an update to the Board of BITMO's TSM performance, compliance with the Consumer Standards and progress in delivering its wider priorities.

2. Leeds City Council's Assurance Framework / Relationship with BITMO

- 2.1. As Leeds City Council is accountable to the Regulator of Social Housing for ensuring that regulatory standards are met in relation to services provided by BITMO it is important that the Council gains assurance through its contractual and performance management frameworks with BITMO.
- 2.2. Leeds City Council has a management agreement with BITMO which sets out details of delegated functions along with arrangements for the financing, staffing and performance management of these functions. Alongside this a performance management framework is in place which sets out how BITMO's performance will be monitored and how the relationship between Leeds City Council and BITMO will be managed.
- 2.3. With the introduction of a more proactive regulatory approach from 1 April 2024, Housing Leeds will be seeking to strengthen arrangements with BITMO as follows:
 - Undertaking a review of the management agreement in 2025, with a particular focus on reviewing appendices to provide strengthened

details of policies, responsibilities, and performance management arrangements.

- Completing a review of BITMO's management fee calculation to ensure that it accurately reflects delegations/recharges and is proportionate to wider Council housing budget allocations with any changes taking effect from 1 April 2025.
- Undertaking a review of the performance management framework so that it is aligned to TSMs and Consumer Standard expectations.

2.4. A review of the Council's performance management framework of BITMO will take place during quarter 2 with a view to strengthening arrangements as follows:

- Regular reporting of TSM performance
- Introducing regular reporting of its compliance with the 4 Consumer Standards along with periodic checks of evidence / quality assurance arrangements in place
- A review of arrangements for regular liaison, via the Quarterly Review Meeting and BITMO Board, to ensure that robust arrangements are in place that are aligned to the regulatory framework.

3. TSM Performance

3.1. Housing Leeds is responsible for reporting TSM performance for all Council tenants, including for properties / tenancies managed by BITMO. As outlined in the TSM report earlier on this agenda Housing Leeds has co-ordinated the calculation of all TSM performance to include BITMO performance as follows:

- The Council's arrangements for collecting tenant satisfaction survey data via the Acuity contractor includes for BITMO tenants, with a larger sample size to ensure that performance is statistically relevant at an organisational level.
- The Directorate's Service Delivery Manager has worked with BITMO officers in collating performance data for the calculation of the management indicators for BITMO managed tenancies / properties.

3.2. As outlined in the main report BITMO's performance on the tenant satisfaction survey TSMs is very positive, with BITMO performing above the average for the city on most TSMs.

4. Consumer Standards

4.1. Housing Leeds has undertaken self assessments against each of the updated Consumer Standards – the outcome of these will be shared at the July Leeds Housing Board meeting. Alongside these self assessments, BITMO has undertaken its own self assessments against the Consumer Standards as outlined in the main report.

4.2. Housing Leeds will work with BITMO as part of the updated performance management framework to ensure that compliance is strengthened where

required. Whilst some areas of improvement can be owned by BITMO, some are linked to systems and data reporting and so improvements are owned by Leeds City Council. The self-assessment exercise has identified some gaps in the sharing of policy, performance and data reports with BITMO to assist them in meeting the standards. Corrective measures have been put in place to address this.

5. Complaints 2023/24

- 5.1. During 2023/24 BITMO oversaw complaints made about services provided by BITMO via their own Complaints Policy. Performance is outlined in the main report. BITMO undertook their own self-assessment against the Complaints Handling Code and put in place corrective action to strengthen compliance.
- 5.2. In April 2024 the Council received a determination from the Housing Ombudsman that any complaints raised by Council tenants managed by BITMO should be overseen by Leeds City Council as the landlord, in accordance with the Council's complaints policy and not by BITMO via its own complaints policy. Changes have been made to arrangements so that any BITMO complaints are administered by the Council in accordance with the Council's policy and this has been communicated to tenants.

6. Wider Regulatory Requirements

- 6.1. In acknowledgement that BITMO has a key role in supporting the Council's compliance with updated regulatory requirements, Deborah Kelly, as Chief Executive, is an attendee of the Social Housing Regulation Board with regular attendance at meetings and connection into citywide approaches in response to updated regulatory requirements.

7. Internal audit arrangements

- 7.1. As part of the Council/BITMO Performance Management Framework the Council undertakes one annual assurance audits each year. In 2022/23 an audit was undertaken of BITMO's information governance arrangements, finding that there were good controls in place and minor organisational impact. The 2023/24 audit is being undertaken of BITMO's core organisational policies and procedures – staff conduct and disciplinary, recruitment, EDI and Health, Safety and Wellbeing. This audit has not yet concluded.
- 7.2. To support these arrangements Housing Leeds appointed a consultant to undertake a Governance Health Check of BITMO and its Board, taking into account updated regulatory requirements. Housing Leeds will work with BITMO to consider the recommendations from this exercise.

8. Conclusion

- 8.1. Leeds City Council and BITMO's established relationship is a good starting point for us to review and strengthen arrangements in order to evidence both the Council and BITMO's robust compliance with regulatory requirements.

Actions outlined in this report will progress during 2024/25 and inform the next annual report to the Leeds Housing Board in June 2025.

9. Recommendations

- 9.1. Members are requested to note and comment on BITMO's report and the information it contains.