

DECENT HOMES STANDARD REVIEW – LTF briefing August 2021

A Decent Homes Standard review is being conducted by the government in two parts. Part 1 runs from Spring to Autumn 2021. This seeks to understand the case for change to the Standard's criteria. If the case is made, part 2 will run from Autumn 2021 to Spring 2022. It will consider how decency is defined.

The government has invited 'experts', with experience of the standard, to the Home Review Sounding Board that meets every two months. Other interested stakeholders, including individual social housing tenants, academics and those holding a commercial interest, can register to receive papers and submit comments in writing.

1. Background

The idea for a Decent Homes Standard was introduced in 1997 by the (New) Labour government. There had been years of under-investment by Labour and Conservative administrations – amounting to £19 billion repairs backlog and 2.3 million social housing tenant households living in 'non-decent homes.

In addition, more than 60 per cent of privately rented and 40 per cent of owner-occupied homes needed urgent work.

The Decent Homes standard first appeared in the 2000 Housing Green Paper – *Quality and Choice, a Decent Home for All*. The standard was subsequently adopted as a Public Service Agreement (PSA).

All social housing was to meet a standard of decency by 2010. The number of homes not meeting this standard was to reduce by a third, between 2001 and 2004. Most improvements were to take place in the most deprived local authority areas.

The 2002 Spending Review extended the decent homes target to a section of the private sector housing. 70% of vulnerable households living in owner-occupied or private rented homes were to have a Decent Home by 2010.

The 2003 'Community Plan' said that where councils were financially unable to meet the Decent Homes standard, they had three options of gaining extra resources. Options were - transferring council homes to a housing association,

using a private finance initiative (PFI) or establishing an Arm's Length Management Organisation (ALMO).

In 2004, the Housing Minister, Keith Hill MP, admitted that he was tearing up the approach that all homes would meet the standard. Following a ballot in which 77% of Camden council tenants voted against setting up an ALMO, he said that the government could not be responsible if tenants rejected the options for attracting additional funding.

2. The Decent Homes Standard

In 2004 the government published '*A Decent Home: The definition and guidance for implementation*'.

According to the standard, a Decent Home should, as a minimum:

- (i) meet the minimum standard for housing as enshrined in the 1985 Housing Act. It related to nine specific criteria, including external walls, roof structure and covering, windows/doors, chimneys, central heating boilers, gas fires, storage heaters, plumbing and electrics;
- (ii) be in a reasonable state of repair. A dwelling would satisfy this unless one of more key building components were old and because of their condition needed replacing or major repairs, or two or more other building components were old and because of their condition needed replacing or major repairs;
- (iii) have reasonably modern facilities and services. A dwelling would fail the decent home standard if it lacked three or more of the following:
 - (a) a kitchen being 20 years old or less
 - (b) a kitchen with adequate space and layout
 - (c) a bathroom being 30 years or less
 - (d) an appropriately located bathroom and WC
 - (e) adequate noise insulation [external noise only] and
 - (f) adequate size and layout of common entrance areas for blocks of flats;
- (iv) have a reasonable degree of thermal comfort - measured in terms of fuel poverty. If a household spent more than 10% of its disposable income on fuel, it was deemed fuel poor. The definition was later changed in 2002 as follows. To meet the requirement, dwellings were required to have:
 - (a) efficient heating – defined as any gas or oil programmable central heating, electric storage heaters, LPG solid fuel central heating or 'similarly efficient' heating system developed in the future and
 - (b) effective insulation, where the levels are deemed effective depending on the heating systems in the dwelling. For dwellings with gas/oil

programable heating, it meant cavity wall insulation or at least 50mm loft insulation. For dwellings with electric storage heaters / LPG / programmable solid fuel central heating, it meant having 200mm of loft insulation and cavity wall insulation.

The standard was revised in 2006, taking into account the Housing Act 2004, including the Housing Health and Safety Rating System.

3. OPDM 2004 inquiry into the Decent Homes Standard

A select committee of the Office of the Deputy Prime Minister (OPDM) held an inquiry about the Decent Homes Standard in 2004, which informed the 2006 revised Decent Homes standard. LTF submitted comments, highlighting that:

- tenants were not consulted about the definition of 'decent';
- for some, estate security, sound insulation, good community and play spaces were frequently raised at tenant meetings and were felt to be of greater importance than what had become known as the 'new kitchens and bathrooms' scheme;
- tenants have a right to decent homes, but achieving this should not be bound by financial constraints that effectively remove the choice to remain under the direct management of local authorities;
- tenants must be more involved in the debate about 'sustainable communities' (referred to in the Communities Plan);
- there must be an extension of proper debate with tenants on issues such as - housing density, standards of flat sizes, construction, play, community and public spaces.

Many others responded to the inquiry, raising additional issues - the standard was just a minimum and accessibility for older and disabled people and internal noise insulation were excluded.

Mel Cairns, chair of the Health and Housing Group, which represented environmental health and housing consultants in private practice, told the select committee that the standard was so full of holes that it failed the test of being a minimum standard. He said 'an overcrowded fire-trap infested with cockroaches, rats and bedbugs could achieve the standard'. He said many landlords, including councils and housing associations, had been able to evade their responsibility to provide reasonable housing. He added - 'We have better standards for kennels and catteries than we do for housing.'

4. From Decent Homes to Sustainable Communities

In 2006 the government published 'From Decent Homes to Sustainable Communities', a discussion paper and 'A Decent Home: definition and guidance

for implementation' to accompany the launch of the final Decent Homes bidding round for the ALMOs and Housing Transfer Programme.

The 2006 discussion paper signalled a shift of focus to - the need for a new supply of homes and support for 'mixed and sustainable communities' via neighbourhood renewal programmes and housing market renewal. It also recognised that only 95% of social stock might meet the decent homes standard by 2010. It highlighted its housing policy aims to deliver:

- a step on the housing ladder for future generations of homeowners
- quality and choice for those who rent;
- mixed sustainable communities.

The Department for Communities and Local Government (DCLG) said it was setting out how landlords could - build on the success of the Decent Homes Programme, work more flexibly, go beyond the programme and take more 'radical solutions to transform some of the poorest neighbourhoods into mixed, sustainable communities. It said it wanted to encourage local authorities, ALMOs and Registered Social Landlords to ensure they were considering the need for new build through section 106, local authority land and social housing grants.

It also said that delivery agencies should continue to ensure they were getting value for money and continued involvement and empowerment of local tenants.

5. 2006 A Decent Home: definition and guidance for implementation

Key amendments to the 2004 version included:

- opportunities for tenants to be more involved in making decisions about the management and ownership of their homes;
- tenants able to apply for funding to explore feasibility and implementation of future options (including Community Gateway models) from the 'Tenant Empowerment Programme', administered by the Housing Corporation;
- a target for 95% of social rented homes to meet the decent homes target by 2010 was set, with the remainder required to achieve the standard as fast as possible after this date;
- increasing regeneration and delivering mixed communities. Mixed-communities were defined as areas that:
 - attract and retain households of a wide range of incomes, have good-quality housing in attractive environments and access to good services and facilities;
 - have a mix of housing size, type and tenure;
 - attract and retain households with choice;

- have strong local economies and contribute to strong, regional economies;
 - are well connected to employment opportunities;
 - have high-quality housing and neighbourhood management;
 - have low levels of crime and provide support services for vulnerable people and communities;
 - have a strong housing market that matches the wider economic area
 - attract and utilise private sector investment.
- extensions to the 2010 Decent Homes standard deadline for landlords seeking to get better value for money (presumably through regen schemes) would be considered sympathetically by the government;
 - late starting ALMOs would have individually negotiated timetables for meeting the standard. There would also be consideration of individual circumstances of late starting PFIs and stock transfers
 - The Housing Health and Safety Rating System (HHSRS) replaced the fitness standard. To be deemed decent, a dwelling has to be free of category 1 hazards. The HHSRS was to be incorporated into stock condition surveys.
 - Social landlords should consider mixed communities' schemes and regeneration programmes when applying the Decent Homes standard.
 - Landlords should consider whether the clearance of dwellings and regeneration is the most effective long-term strategy.
 - A standard relating to construction works was not set. However, in the case of flats and maisonettes, it was suggested it would be sensible to ensure the standard is maintained by carrying out works to a sustainable level rather than a minimum standard. It was proposed that this is where the nature of construction creates high costs in carrying out works or where the materials used in construction present particular problems;
 - delivery of decent homes is a key priority, but should not be an obstacle to landlords carrying out work that falls outside the standard but achieves other priorities – such as improving estate environmental works, designing out crime and provision of disabled persons' adaptations;
 - individual tenants could opt-out of the decent homes works unless they related to the structural integrity of the dwelling. In these instances, decent homes work should be carried out when the property is vacated.
 - It was stated that it is usually possible to estimate deterioration and that it might be helpful for landlords to categorise homes as non-decent, potentially non-decent and decent. It is necessary to carry out periodic stock condition surveys to re-quantify the number of non-decent homes.
 - Tables of definitions used within the disrepair criterion are included in the document, identifying when building components are in poor condition.