

**SONNET SPOTLIGHT**  
**TRANSCRIPT: INTERVIEW WITH JIM CLIFFORD**  
**Social Housing (Regulation) Act, 2023**

**Kirsten Hopkins**

Welcome to Sonnet Spotlight everybody. This is our interview series where we host selected guests every month, who are exceptional individuals who are passionate about social impact. We invite them to come and chat to us about topics that are important not only to society as a whole, but also societal change today.

And today, we're going to be discussing social housing, which we know has very far-reaching implications for individuals, families, for communities and for society as a whole.

Over recent decades, construction of new homes has failed to keep the pace of population growth and socio-demographic change, and this has resulted in a housing shortage which has seen rents and property prices increase significantly faster than people's incomes.

So therefore, it's no surprise that this is acutely impacting on the lowest income and vulnerable families and individuals. Many tenants live under responsible to landlords, who take care of their tenants' interests and maintain good quality social housing, but there are still far too many that live in damp, cold and mouldy properties that harm their health and their life chances.

So, this cycle of neglect has left us with a high number of non-decent rented homes in this country. Today we have Jim Clifford, who is the founder of Sonnet Advisory & Impact, joining us to talk about this.

Jim has a lot of knowledge and expertise in the arena of social housing, which forms one of a very long list of accolades.

Welcome, Jim, and thank you for joining us today to talk about this very important topic. So, we're going to jump straight in with our first question.

The Social Housing Regulations Act received Royal assent on the 20th of July. What is it trying to achieve and what does it bring that we haven't had before?

**Jim Clifford**

We have had in many areas an intention to deliver great quality social housing for those that need it, and there are some really good providers of social housing. Let's be in no doubt about that.

However, there are areas of social housing that have fallen horribly behind what has been going on in the best.

Then this is an introduction of regulation and a regime of accountability, around social housing that is intended to push everyone up to a good standard and still allow the very best to aspire to even greater standards.

So, the act brings forward a stronger and more proactive regulatory regime to drive up those standards, as I say, and to hold landlords to account for the service they provide the tenants and to get the tenants involved in holding the landlords to account.

I'm so the aims of the act are really to get all social housing up to a standard that we would all want to live in; to enable tenants to feel confident that their homes will be properly maintained in the face of some of those horrible events like Grenfell Tower, and that those same tenants have a voice which empowers them and enables them to exercise their right to expect good quality housing, which after all is within the UN goals, as well as the goals of our own government.

So, what that's actually bringing in in a slightly more detailed term and is a range of regular inspections, a regime of regular inspections, reports of satisfaction and performance, and that is bringing that element of inspection that goes beyond "I will come in and look at your house" into "and what do you think about it and what is your involvement in it"?

So hence the involvement of tenants (which is given a structure and a formality around it) greater regulatory powers (regulation is fine, but if there's no power to enforce, no power to act over the head of those that are resisting the regulator, then it's pretty hopeless)...It brings in the importance of having a named individual in each social housing provider that is responsible for health and safety within the portfolio. And it brings in an ability for the regulator to order or 'force' if you like, rectification of standards where they're not up to and human habitation, basically.

It also brings in professional qualification requirements for those involved in housing management... and all round is intended to create that environment which is capable of delivering the housing that people deserve.

#### **Kirsten Hopkins**

Thanks very much, Jim, for that overview. And it seems like it's been a long time since the Grenfell Tower disaster. Do you think that we now have in place what we need to protect social housing tenants?

#### **Jim Clifford**

Well, unfortunately you're right about it being a long time since Grenfell Tower.

It's actually six years on since the Grenfell Tower disaster.

It's five years since the Green Paper on social housing.

It's 3 years after the death of Awaab Ishak

And it's two years since we had the White Paper.

And indeed, if you look at the trade press *Inside Housing* were publishing on "here we go here, the changes are coming in January 2022" ...18 months ago.

So yes, it has been a time coming.

However, here we are.

We do have a lot of the key elements now in place of the regulatory regime that we need. Its sound, it does appear to be well thought through. Quite a few of the areas that were heavily lobbied for like Awaab's law...are in place.

They are in place...*if they used*. And the ability to respond to tenant voice is in place...*if it is used*.

So, I would say the tools are there, the tools are in the toolbox. Is somebody going to get them out and use them? That's the big question that faces us now, together with 'and will they use them in the right way, the way that they were intended, the way that they're most effective'?

#### **Kirsten Hopkins**

Absolutely. Those are my thoughts exactly. And so that leads me to another question about what *could* actually get in the way of these provisions delivering the promise benefits?

**Jim Clifford**

Well, a number of things could get in the way, despite, as I say that these are good tools and in the right place.

Um, let's just unpick. I'll skim through half a dozen points that particularly spring to mind in this in this arena.

So, I mentioned Awaab's law specifically enabling the regulator to force landlords to rectify property that is damp or mouldy or unsafe. Just the things that killed that poor child.

That's fine *if it's used*...but our statute books are riddled with provisions which are 'fine if they used' and are very rarely 'used' or 'activated'.

And then by not using them, those that are meant to be regulated by them, forget about them, or assume that they're never going to be used. And so, the power of regulation, even the power of *having* the power is diminished.

Will that respond to tenants' voice as it's intended to?

Well, it will if the systems are put in place to allow that to happen. But then systems fall down through loss of impetus or overengineered processes or misdesigned processes that then just don't allow the good to shine through and they become systems for systems sake.

So, there are some real dangers in there. And we certainly don't want to see this get into the point of having excessive resources poured into systems to prove why nothing should be done...which we see in other areas.

So, I hope to goodness that doesn't happen. I really hope and think we need to see that law being used to make it credible.

Now I mentioned about the tenant's voice.

Now tenants voice is a great idea, but we're playing into an area where there's a huge power imbalance here. Do I want to rattle the cage of my landlord to fix something, when they may throw a fit and kick me out and I have no means to argue about it. Even if they wouldn't, even if they *are* a good landlord, there is still that fear from that power imbalance - that provider beneficiary imbalance and we do have to be tremendously careful about that.

Now, Shelter, among others, have called for a National Association of Tenants. That's possible. That might help. I can see quite a few advantages in that, *if people engage*. But we look at tenant representation on housing association boards - just as one tiny impression of what it's like.

And it is sparse. Tiny, tiny proportions of tenants are active and say something. So, there's some areas of caution there.

But given the horrors of Grenfell Tower, the horrors of Awaab and his situation, and many others like it, I hope that we will see something active going on.

The other thing is we've got this at the same time as increased professionalization. The call, the requirement to have professional qualification for housing managers and identified the person responsible for health and safety.

What we've seen in some other public service sectors is, as you see increased professionalisation going on, the validity of the non-professional voice (hence the tenant), becomes lowered. We see this concern in children's services, in adult social care and so on.

I think there is a real area of caution to be thought about there.

I'm now just swinging to a few other areas if I may.

There has been a huge passion to get this act onto the statute books, and rightly so, some really important stuff in there.

One of the difficulties when you have a huge passion to get something onto the statute books, is there is this sort of almost emotional sigh of relief when it gets there, and the passion drops, and the impetus drops. And yet...that's just putting the tools in the toolbox. Now the works got to be done at the time when the passion is dropping.

So, we need those involved, the housing associations, the regulator, the people and everyone to get even more passionate about making something happen and not allowing it to drop. I mentioned earlier on about systems.

We're going to have systems around this. There's going to be regulatory systems and litigation and what have you. We are running into a concern there about poorly designed systems.

Now, we've been looking at systems for social care, mental health support systems in areas of the country and so on, and we keep coming across systems that are designed from the wrong perspective, designed with the wrong mindset.

Do we help somebody to claim the benefits to which they're entitled, or do we design the system to block out the people who are not entitled to the benefits?

Arguably it comes to the same point, but it's a totally different design of system, and so how that system is designed with the right mindset is fundamental to enabling this to support the huge good, the legislation and the regulator can do, and not just create further destruction.

And last but not least, I'll just add the point.

Great to set regulation in place, great to set good systems for achieving protection for people who need it. And don't we all? But that requires funding, so if we're going to set all this clever stuff up and not put funding behind it to enable it to happen, we're just going to have second rate systems starved of money that can't actually do what they're intended to do. And we'll just end up with a cheap *nothing* that won't achieve anything.

There are a few areas that we really need to focus to get the very best out of what is an excellent set of legislation.

### **Kirsten Hopkins**

Thank you very much, Jim. That's incredibly insightful.

And with that in mind, you've said that you want to keep the passion for improvements in there, and that the inspection regime and other regulatory provisions are used as engines for change.

But if you could, what are three other issue areas that you would call out for change as far as this goes?

**Jim Clifford**

Right. Three others.

Um, this is legislation which is focused into a particular part of a wide arena of provision of housing for a growing population living longer with growing comorbidities, multiple complexities of social need and health needs and what have you...

So, whilst this stands a good chance of giving us the tools for fixing this area of challenge, we need to be aware that it sits in that wider landscape, so three particular ones that I would flag for you. And, at least, well, for the first two of these, I know, I agree with a number of the other influencers in the sector, but nevertheless, I'm calling this out because it's important.

So, um, we don't have enough housing in this country, period. That is true. That's how it is. So, over the next 20 years, Shelter sites projections that say we're going to be 3.1 million houses short in that time.

Really? That few? I wonder.

And currently 1 million families waiting for housing. That is just it's not acceptable. It's not acceptable anywhere in the world and it's certainly not acceptable here, when so many are trying to do so much.

And so that whole point about sufficiency, by which I mean enough houses and enough quality in the right places, needs to be tackled. And that, of course, needs investment.

So, at a time when we are as a nation, as so many other nations trying to manage our funds carefully, nevertheless, we have this screaming need in front of us that is only going to grow over the next two or three decades.

So, sufficiency. Don't assume that this fix is sufficiency. It certainly doesn't.

Second one I'd flag is stigma.

Now there is still (and there seems to be no indication that it's abating), a stigma around social housing, a stigma around the wider rented sector. Indeed, and that affects job applications and so much more besides.

So just as an example, in work we've been doing around foster care, we're hearing from the research about reluctance of local authorities to approve as foster carers as those living in rented accommodation. Which also has an impact on diversity of foster carers because of the relative proportions of different people of different cultural heritages, who live in their own owned houses or rented sector.

So, there is stigma - active - spoken about, there is stigma - passive - like that that is going on. We've got to tackle this and get to the position that the Germans have, for example, where the majority live in rented accommodation rather than their own houses.

The third one I just flag, is about the situation of the private rented sector.

Now there's been a lot spoken about private landlords that don't come up to the mark, that allegedly don't care. Some of them I'm sure don't, and are providing homes that are appalling. Um, that needs tackling.

But there is a there is a section of the private rented sector where that the landlords are providing good quality housing. Um, really excellent.

And if we remove all the private rented sector, we will have an even greater sufficiency problem, because we will lack capital in the sector and quantity and capacity in the sector.

So, we need to find out how to raise standards across that area without shooting ourselves in the foot by forcing capital out to the market and sacrificing capacity and sufficiency.

Now, some might say, 'oh, you're scaremongering there' or 'you're advocating for the private rented sector'. No, I think I'm responding to a reality we are seeing reported across the housing sector moves of rented property providers out of the market - forced out, pushed out, discouraged by changes in tax policy legislation around the sector and what have you.

So, we're getting a reducing quantity and at the same time we're getting, uh, we're hearing widely of increasing challenge for people trying to find rented property.

Well, it sounds like the two are related and forcing further property off the market and out of the sector and making it not available is not going to fix that.

So. I do wonder whether having a movement of good private rental providers, good private individuals who want to see quality rental happening just as Shelter, are saying, should we have a National Association of tenants - I do wonder whether we should have a clearer National Association of private renters to push that standard up from within the sector.

**Kirsten Hopkins**

Well, thank you very much, Jim.

Those additional points are very valid and thank you very much for taking the time today to talk to us about this, both in in terms of the overview of the act and what we can expect, but also, you know what next and what really do we need to do and what really does the sector need to do in order to ensure that these are actioned - realistically and practically - as well that make all the difference to particularly vulnerable families and children and young people.

So, if anybody is interested in Jim's bio, you can find it down below.

You can also find out a little bit more about Sonnet Advisory & Impact and we'll have various links to social housing, the Social Housing Act, as well as any additional content that Sonnet has generated around this.

So, thank you, Jim, for your time today. We really appreciate it, and it was lovely speaking to you.