

Regulating the privately rented sector: an emerging role for universities in supporting more effective workforce development

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Abstract

The private rented housing sector has grown in size and complexity in recent years, but the regulatory workforce has not kept up to date with this change, leaving many tenants in poor conditions. There has been great interest in how the regulators – who comprise Environmental Health Officers and other staff mainly working in local authorities – will be effectively trained into the future. The University of Greenwich is currently exploring options to help train this workforce in viable ways. This paper explores some of the challenges currently faced.

Opinion piece

The private rented sector (PRS) has grown in both size and complexity in recent years, housing many families who would have traditionally occupied social housing. Though much of the housing stock is of suitable condition and appropriately managed, some is in poor condition and housing vulnerable residents; its regulation presents major challenges. Local authorities (LAs) are charged with the overall regulation of conditions in the sector, but other agencies are also involved in offering support and advocacy (Stewart and Moffatt, eds., 2022a and 2022b). The PRS is facing a shortfall of staff with the requisite regulatory skills and knowledge. Insufficient numbers of universities offer specialist courses addressing the learning needs of those charged with regulating the PRS and academic curricula have not kept up with the current employment demands.

Traditionally, Environmental Health Officers (EHOs) and so-called ‘other staff’ in local authority (LA) PRS housing regulation teams (or equivalent) enforced required standards (Battersby, 2018). The Chartered Institute of Environmental Health (CIEH) Workforce Survey (2021) found that 87% of LAs are relying on agency staff and 56% have had vacancies unfilled for more than six months. These figures are for all environmental health services generally and do not provide a detailed picture of the whole PRS regulation workforce. The numbers, qualifications and training needs of these ‘other staff’ are almost entirely unknown.

Traditional environmental health departments have been largely dismantled and the PRS workforce tends to work in separate regulatory teams, varying greatly across different LA settings. In addition, a combination of the Government’s austerity policy from 2010 onwards, lack of oversight of the workforce and a long-term decline in CIEH-accredited BSc and MSc degree training programmes has resulted in a much-depleted workforce (CIEH, 2021). The nature and extent of the shortfall in numbers, but also in skills and competencies held, are not fully known and need further research.

As things stand, not enough suitable tailored qualifying courses – that ‘work’ for both universities and employers – exist to address the current workforce backlog. Applied research into current practices is needed to help underpin new course developments, which themselves must ensure that graduates and other staff involved in PRS regulation are equipped with a comprehensive knowledge of: the relationship between housing, health and safety; building construction and deficiencies; the PRS regulatory framework; its appropriate enforcement. A wide range of housing skills and competencies – that have standing and recognition, both academically and in practice – is therefore required.

What existing training is there?

In the past, an accredited degree and accredited diplomas in Environmental Health (EH) embedded practice experience, enabling students to develop knowledge, skills and competencies related to housing, specifically the PRS. Numbers entering the profession generally have also been falling although the recent EH apprenticeship route has started to address this. The list of accredited BSc and MSc degrees is available via the CIEH website for under- and postgraduate study, but this is for general EHOs and not PRS-specific learning. Each programme recruits different student numbers and has different housing content, but this information is not publicly available. Moreover, this does not provide continuing professional development (CPD) training for those already working in the PRS.

Besides this, there have been few authentic training opportunities available to those charged with regulating the PRS. Previous ‘specialised’ and credit-bearing courses, such as a Certificate in Housing, no longer exist. Some short (day) courses in aspects of housing regulation do exist, but these are neither accredited nor credit-bearing and they vary in quality. The depleted workforce – combined with a lack of teaching and learning opportunities for students and staff – has left a gap in the knowledge of PRS regulators and the effective work of LAs is thus inhibited.

Stewart co-created a level 7 CPD credit-bearing course – first delivered in 2019 at Middlesex University – which ran for four years, recruiting more than eighty students. This clearly demonstrates that this type of learning opportunity should be available. Feedback on the website (no longer accessible) said: *“A wonderful opportunity to expand your theoretical and practical understanding of regulation in the PRS. The knowledge gained through this course has already benefited my day to day work.”* More recently, the CIEH and the Greater London Authority (GLA) designed the ‘Advanced Professional Certificate in the Private Rented Sector’ (also known as APC-Housing) and invited a range of providers to deliver it. Though this may go some way to reducing the knowledge gap mentioned, to date only one university is accredited to provide this (CIEH website, undated).

For universities, developing new courses is a long-term process and requires commitment from LAs and others involved in improving standards in the PRS. There is, however, a renewed interest in housing regulation generally, owing to high profile housing cases – notably Grenfell and the recent preventable death of Awaab Ishak, caused by damp and mould in his home (Courts and Tribunals Judiciary, 2022). What is lacking is a clear picture of what a comprehensive PRS package of training would look like and how this could be rolled out nationally.

What do we know so far?

The Association of London Environmental Health Managers (ALEHM) has presented on issues relating to the currently depleted workforce, including the challenges in training, recruitment and retention and the lack of a plan to remedy these, although this remains unpublished. In trying to understand the total EH workforce better, the CIEH surveyed all aspects of EH work. The report identified 3,300 fully qualified EHOs working at district level in England and around a quarter of EHOs specialising in housing generally, but the extent to which this comprises PRS regulation is unclear. Many LAs have used agency staff for this purpose and, in 2019/20, fifty-two per cent of LAs did not have a single apprentice or trainee, owing to lack of budget, of capacity and of mentors (CIEH, 2021; Coyne, 2021). More recently, the Local Government Association (LGA) reported (2023) that forty-five per cent of LAs were experiencing difficulties in recruiting EHOs, aggravated by the new PRS-related duties placed on them.

Owing to limited data, it is difficult to ascertain what the workforce training needs are, for now and into the future. However, Battersby (2018) explored staffing levels in 2016-17, finding that the average number of EHOs available to inspect and enforce in the PRS was 2.46 in London and 2.2 for 10,000 properties, but indicating that 'other staff' were also involved. Developing this, Moffatt (2018) responded: *"From my experience leading a comparatively well-resourced Private Housing team, a ratio of 5 EHOs per 10,000 PRS households is the minimum required to effectively regulate a PRS market. If applied across England this would mean creating 3 additional Housing specific EHO roles for each unitary authority equating to 375 additional EHOs."*

The authors of this paper are now working to understand better what EHOs and other PRS regulators currently look like at LA level and to gauge the extent of the workforce challenge faced. For example, what staffing (i.e. competencies, skills, knowledge) do LAs currently have and what gaps remain, locally and nationally? As there have been few formal training routes, how are staff learning and what skills are they developing to address the complexities of the PRS? How is this going to be implemented? How will we know when this has been effected?

We suggest that new courses need to be delivered at around level 5 to ensure that relevant standards are met for the skills and competences in the multiple areas of knowledge and regulatory practice required. A range of opportunities for (credit-rated) work-based learning and work-integrated learning is being explored, alongside other CPD. The COVID-19 pandemic gave enormous impetus to virtual learning opportunities and their potential, demonstrating that students from across the country can study flexibly together and learn synchronously or asynchronously. To be effective, the establishment of either fully virtual courses or even blended or hybrid courses requires considerable up-front investment and resource development. Aligned to this is the need for research into new technologies, to enable student-centred study such as immersive 360 experiences, something which is in its infancy (Lawson, Stewart *et al.*, work in progress, 2023) and to ascertain what employers feel would work best for their PRS regulation teams (Stewart, study in progress). Co-creation of bespoke training with and for the LA workforce in London would help to bridge the knowledge gap that PRS teams are facing. The impact of this would be immediate and benefits to the local housing market would be tangible in a much shorter time than it would take to create a traditional EHO degree programme. Creating and delivering this type of CPD to upskill

regulators would ultimately benefit some of the most vulnerable families living in poor-quality PRS housing stock.

Conclusions

There are many challenges facing the PRS regulatory workforce; it is also difficult to establish what might best be done to help tackle them. New courses must acknowledge the range of competencies, skills and dynamic knowledge required to regulate the PRS most efficiently. We need to know how many people we need to train each year and what that training should look like and we must have a means of ensuring that these staff are both trained and retained in their roles. Vital, too, is a renewed focus on knowledge-exchange collaboration by LAs and universities, in order to help co-create and provide practice and academic elements of PRS regulator workforce training, something the University of Greenwich is well positioned to lead on with local and national impact.

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