



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Housing Overview and Scrutiny Committee

22 January 2024

Report of: Councillor Phil Dilks
Cabinet Member for Housing and
Planning

Housing Regulatory Compliance Update

Report Author

Philip Swinton – Health, Safety and Compliance Manager



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This report seeks to update Committee on actions to ensure regulatory compliance of the Council's social housing landlord function following the non-compliance notice issued by the Regulator of Social Housing.

Recommendations

That Committee:

- 1. Notes the latest compliance position of December 2023 following the lifting of the Regulators Notice in October 2023**
- 2. Receives a further update report at its next scheduled meeting.**

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	Housing that meets the needs of all residents
Which wards are impacted?	All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 The financial considerations arising from the compliance requirements have been incorporated in the HRA budgets presented and approved by Council on 1 March 2023.

Completed by: Alison Hall-Wright, Assistant Director of Finance and Deputy S151 Officer

Legal and Governance

- 1.2 This compliance update provides Members with an opportunity to monitor progress against key risk areas, which is to be welcomed from a governance perspective. The legal implications for non-compliance are incorporated within the risk ratings.

Completed by: Graham Watts, Assistant Director of Governance and Monitoring Officer

Risk and Mitigation

- 1.3 Risks will be identified via the work plans with any actions agreed with the Regulator. Dealing with significant compliance matters requires a comprehensive approach to risk management, particularly in respect of assessing priorities and critical actions

Completed by: Tracey Elliot: Governance and Risk Officer

Health and Safety

- 1.4 The key focus in meeting the regulatory standard is to ensure tenants, leaseholders, their households and visitors live in homes that are, as far as is reasonably practicable, safe with hazards minimised. This is reflected in the key compliance areas that are monitored and reported to Committee.

Completed by: Phil Swinton Health, Safety and Compliance Manager

Diversity and Inclusion

- 1.5 All equality issues are identified with the necessary compliance and improvement activities taking place on a case by case basis. Each equality impact is carefully considered when actioning a compliance or regulatory change. This is especially so when managing such matters for vulnerable households and particularly those occupying specialist accommodation such as designated sheltered accommodation.

Completed by: Philip Swinton: Health, Safety and Compliance Manager

Climate Change

- 1.6 Any capital improvement plans especially in the context of dealing with essential gas, electrical and other works will aim to maximise energy efficiency measures, and reductions in carbon emissions.

Completed by: Serna Brown: Sustainability and Climate change Officer

2. Background to the Report

- 2.1 The Regulator of Social Housing notice was lifted and removed in October of 2023, however it has been agreed that Members will continue to receive update reports on progress to ensure that Members have oversight of broad progress around the key areas of activity and scrutinise work where required

3. Key Considerations

- 3.1 **Updating Tenants and Members:** Following on from previous briefings, further All Member Briefings will be arranged to ensure Members are fully informed on progress and continued challenges.
- 3.1.1 Legionella – 100% compliance in relation to water hygiene.

- 3.1.2 Gas – 98.86% in December, There are currently 50 properties without a valid certificate. This is largely due to refusal or lack of contact from tenants, however 6 properties from this total are being booked at the time of writing the report. An additional court date to obtain further warrants for entry was requested in December 2023. A maximum of 20 warrants can be applied for in a month.
- 3.1.3 Electrical testing – this shows the position in relation to properties (both dwellings and communal areas) with a valid electrical certificate, with the current position being 92.16% this equates to 5584 of the baseline 6059 properties.
- 3.1.4 Asbestos – this shows 100% compliance in terms of asbestos inspections.
- 3.1.5 Fire Risk Assessments – 100% compliant, this shows all communal blocks have been assessed. Next review to commence in August 2024.
- 3.1.6 Lift inspections – This is at 92.22% There are two lifts which have recently been refurbished/ repaired which are awaiting a new LOLER inspection, programmed for the 12th Jan. Both lifts are operational and are subject to maintenance and testing which allows the use while the LOLER confirmation is obtained by our Insurers.
- 3.1.7 Smoke and CO – this shows the position for all the alarms within our properties being 100% compliant.
- 3.1.8 Damp and Mould – this shows 99.83% compliance and the appointments for CAT1 and CAT2 inspections and works have been made, however several tenants continue to refuse access.
- 3.2 **Leadership Compliance Meetings:** Chaired by the Chief Executive and attended by the Leader of the Council, the Cabinet Member for Housing and Planning and the Interim Head of Technical Services, these meetings have been a continued feature of the more detailed compliance review process being undertaken. Members of this group ensure specific responses to the changing compliance review process and manage tenant and communication responses to actions associated with key service and regulatory responses.
- 3.3 **Regular Reports to Committees and Cabinet:** the necessary reporting to appropriate committees will continue and will change as per the committee needs. Members are invited to comment on this report content and confirm their views and observations relating to the detail contained within this report.

4. Other Options Considered

- 4.1 The figures are provided by the Compliance Team and have been verified through external audit and by the lifting of the Regulator Notice. There are currently no other options which require consideration in relation to the provision of figures.

5. Reasons for the Recommendations

- 5.1 To secure and maintain a return to full compliance in respect of housing services, including the identification of appropriate resources, funds and service improvements in a timely manner.

6. Consultation

- 6.1 The necessary consultation with the tenants and Members of the Council has been undertaken through timely reporting, dispatch of letters to advise tenants of progress, the latest Skyline publication, dedicated customer telephone enquiry line, and an updated web site detailing compliance issues and signposting services. This process will continue and the engagement with tenants particularly will be amended to reflect changing needs and requirements.

7. Appendices

- 7.1 Appendix One – Compliance figures for December 2023.