



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Housing Overview and Scrutiny Committee

16th November 2023

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

Housing Regulatory Compliance Update

Report Author

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Purpose of the report

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

Recommendations

That Committee:

- 1. Notes the removal of the notice effective from the 25th October 2023.**
- 2. Notes the latest compliance position following the updated figures for September 2023.**

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Does the report contain any exempt or confidential information not for publication?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 implications arising from the compliance requirements have been incorporated in the HRA budgets approved by Council on 1 March 2023.

Completed by: Alison Hall-Wright, Deputy Director (Finance and ICT) and Deputy S151 Officer

Legal and Governance

- 1.2 This compliance update provides Members with an opportunity to track and consider 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 The assessment of risk and mitigations will be identified through the necessary work plans to ensure ongoing compliance following the removal of the Regulatory Notice. Addressing significant compliance matters requires a comprehensive approach to risk management, particularly in respect of assessing priorities and critical actions.

Completed by: Tracey Elliott, Governance & 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 and Safety Manager

2. Background to the Report

- 2.1 The Committee will be aware the Chief Executive determined, in consultation with the Leader and Cabinet Member for Housing and Planning, to self-refer the Council to the Regulator of Social Housing in November 2021. Since this referral Officers have been providing further data and details relating to the core issues of non-compliance for the Regulator to consider and review.
- 2.2 Monthly meetings have been taking place with the Regulator to cover issues of focus in terms of the regulatory framework, focussing on the Homes Standard.
- 2.3 In August 2023, a full report documenting the progress and requesting the removal of the Notice was submitted by the Chief Executive to the Regulator.
- 2.4 The Council received notification from the Regulator that the Notice would be lifted with effect from the 25th October 2023.
- 2.5 The Regulator recognises that work that remains to be done in terms of the ongoing improvements on our Housing Management System and Asset Management software as the basis for effective compliance management and has requested notification once these systems are in place.

3. Key Considerations

- 3.1 Following the removal of the Notice, a press release was issued to advise the general public and a general release was provided for staff and Members.
- 3.2 An article will be included in the next edition of "Skyline", the Council's tenant newsletter.

- 3.3 The Council has come a long way and while the decision to remove the Regulatory Notice shows we are in a stronger position, there are still improvements to be made to consolidate the efforts made to date.
- 3.4 The Housing Compliance Audit completed in July 2023 to validate the work carried out did make further recommendations. These recommendations were tabled into an action plan which was reported to Committee in September 2023 and will continue to be monitored alongside the routine performance reporting.
- 3.5 The implementation of the Total Housing Compliance Policy will be a significant step towards providing a framework for the delivery of an effective Compliance monitoring function and completes a number of recommendations on the action plan.
- 3.6 The direction of travel document attached as appendix 1, shows the latest figures and charts the improvement to date.
- 3.7 Gas Safety at 99.25% shows an improvement on the last report and work is ongoing to refine the process further.
- 3.8 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 91.80% in September.
- 3.9 Asbestos – this shows 100% compliance in terms of asbestos inspections.
- 3.10 Fire Risk Assessments – 100% compliant, this shows all communal blocks assessed as “higher risk” have been inspected, and corrective actions are being programmed and completed.
- 3.11 Lift inspections – shows one property waiting a statutory inspection. This was unable to be carried out due to works required on the lift. This work and the inspection have now been completed.
- 3.12 Smoke and CO – this shows the position for all the alarms within our properties being 100% compliant. This is a significant achievement and the first time we have reported total compliance in this area. This is a Regulatory requirement which came into force on the 1st of October 2022.
- 3.13 Damp and mould – this shows 99.78% compliance and the appointments for CAT1 and CAT2 inspections and works have been made with several tenants refusing access.
- 3.14 **Leadership Compliance Meetings:** Chaired by the Chief Executive and attended by the Leader of the Council, the Cabinet Member for Housing, and the Chief Executive, 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.

- 3.15 **Regular Reports to Committees and Cabinet:** the necessary reporting to appropriate committees will continue and have changed 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 amended Improvement Plan, and consideration of key outputs by Members, Leadership Compliance meetings, and All Member briefing sessions as arranged.

5. Reasons for the Recommendations

- 5.1 To note the return to full compliance in respect of housing services and to note that work continues to ensure that the compliance of the housing function is fully embedded and a continuing journey.

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, and an updated web site detailing compliance issues and signposting services. This process will continue as required and the engagement with tenants particularly will be amended to reflect changing needs and requirements.

7. Appendices

- 7.1 Appendix One – Compliance Areas Direction of Travel