



Thursday, 19 September 2024

Report of Councillor Virginia Moran
Cabinet Member for Housing

Housing Compliance Figures

Report Author

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Purpose of Report

This report seeks to update the Committee on the status and progress of the compliance figures in relation to the Council's landlord function and proposed actions in relation to Gas compliance.

Recommendations

The Committee is recommended to:

1. Support the continued capping of external Gas meters at the point of expiration of the safety certificate.
2. Note the latest compliance position for August 2024 and approve the revised way of reporting Damp and Mould works to this Committee.
3. Receive further updates 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Does the report contain any exempt or confidential information not for publication?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
Effective council**

Which wards are impacted? **(All Wards);**

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, 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 compliance requirements have been incorporated in the HRA budgets. Failure to maintain high standards of compliance could lead to an increased risk of safety and financial implications.

Completed by: Paul Sutton Interim Head of Finance (Deputy 151)

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, Monitoring Officer

Risk and Mitigation

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

Completed by: Tracey Elliott Risk, Governance and Risk Officer

Health and Safety

- 1.4 The key focus in meeting the regulatory standard is to ensure that 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: Philip Swinton, Health, Safety and Compliance Manager

Equalities, 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 reflected in the key compliance areas that are monitored and reported to Committee.

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

Climate Change

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

Completed by: Serena Brown: Sustainability and Climate change Officer.

2. Background to the Report

2.1. Following the lifting of the Social Housing Regulatory notice it was agreed that Members will continue to receive update reports on progress to ensure that they have oversight of broad progress around the key areas of activity and can scrutinise work where required.

3. Key Considerations

3.1. The Committee is asked to note the current compliance figures to the end of August 2024 (3.4 – 3.13). Following the review and reconciliation of Damp and Mould data the reporting format will be amended to show the total number of properties with identified works and the status.

3.2. The Committee is asked to support the continued capping of external gas meters at the point of the certificate expiring to enable the Council to reduce the risk to those tenants not permitting access and to neighbouring properties and Housing stock. This process will remain under review and updates provided to the Committee as part of these reports.

3.3. Any property with an external meter that is reviewed for capping will have received a minimum of three attempts to gain access to the property, attempts to gain access will have commenced two months prior to the expiration of the gas certificate. The contractor, Aaron Services, has provided assurance that they will respond within 24 hours to test capped properties where tenants make contact to allow access. To minimise the impact Capping will not take place on a Friday which will remove the risk of greater delays related to weekend and call out works.

- 3.4. Legionella – 100% compliant with required inspections
- 3.5. Asbestos – 100% compliant with required inspections
- 3.6. Fire Risk Assessments – 100% compliant with required inspections.
- 3.7. Lift inspections (LOLER) - 100% compliant with required inspections
- 3.8. Gas safety inspections – 99.14% compliant with required inspections. Although it has not been without its challenges the Gas safety inspection compliance rate has returned to a 99%+ position. The team and our new service provider, Aaron Services, have worked incredibly hard to reduce the back log created by tenant refusals and the outgoing contractor.
- 3.9. The ability to cap properties who fail to allow access has also played a significant part in achieving this position. Capping is a last resort but where there is repeated failure to allow access this ability permits the Council to make the appliance safe until an inspection can be carried out and a new gas safety certificate can be provided. The Council has also been provided with a new Court date in September so the team will apply for 20 warrants, the maximum allowed per court date, to gain access to properties which have an internal meter.
- 3.10. Electrical inspections are 92.41% compliant with required inspections. The Council are currently waiting for a number of the certificates to be finalised through a quality assurance process but numbers remain consistent. Legal advice has been sought to identify whether the Council has any additional powers to support increased access where tenants have failed to provide access in order to reduce the number of non-compliant properties for EICR certification.
- 3.11. Smoke and CO – 100%. During August 500 inspections were completed bringing the total number of inspections completed by Aaron Services from 1 April 2024 to 2,970.
- 3.12. Damp and Mould – The format for reporting has been amended to provide greater detail for reported damp and mould works. The move from categorised works to all reported works will allow for greater scrutiny. The following table provides details regarding the number of damp and mould reports the Council has received since December 2022, all of the remaining works/reinspection's have been programmed in and updates regarding the progress for completion will be provided to Members at the next meeting of this Committee.

	December 2022 – December 2023	Outstanding	January - August 2024	Outstanding
Number of reports	424	112	329	253

- 3.13. In preparation for the implementation of Awaab's Law, which is expected to introduce legislative timelines for social landlords to investigate and respond to reports of damp and mould, the Council has created a Damp and Mould Team. This Team will ensure that a responsive service is provided and support the Council in providing an effective damp and mould repairs service.
- 3.14. **Leadership Compliance Meetings:** Chaired by the Chief Executive / Director for Housing and attended by the Leader of the Council and the Cabinet Member for Housing these meetings have been a continued feature of the more detailed compliance review process being undertaken. 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 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 the process used has been verified through external audit and the Housing Regulator. There are currently no other options which require consideration in relation to the provision of figures. The report is for noting.

5. Reasons for the Recommendations

- 5.1. To secure and maintain a strong position of compliance in respects of housing services, including the identification of appropriate resources, funds, and service improvements in a timely manner.
- 5.2. Whilst the capping of gas meters is a last resort, the Council must use every option available in the interests of reducing the risk to life and property. The ability to cap the gas supply until access to properties is gained ensures the risk is removed until a new gas safety certificate can be provided. This approach also

allows the Council to focus Court applications for entry to properties with internal meters and assists in further increasing compliance numbers.

6. Consultation

- 6.1. The necessary consultation with tenants and Members of the Council continues to be undertaken as required through timely reporting, dispatch of letters, skyline publications, dedicated customer telephone enquiry line and an updated website. This process will continue and the engagement with tenants particularly will be amended as needed to reflect the needs and requirements.

7. Appendices

- 7.1. Appendix A - Compliance figures June to August 2024
- 7.2. Appendix B - Chart of figures from August 2023 – August 2024