

CABINET	DATE 16 October 2024	ITEM NO 6
TITLE Annual Housing Safety and Compliance Report 2023/2024	WARD (S) All	
CHIEF OFFICER Director of Housing and Safer Communities	CABINET MEMBER Housing Management, Neighbourhoods and Homelessness	
DECISION CLASSIFICATION Key Added to Forward Plan: 5 th March 2024 Non-exempt report	IS THE FINAL DECISION ON THE RECOMMENDATIONS IN THIS REPORT TO BE MADE AT THIS MEETING? Yes	

1. **Decision required**

This report makes the following recommendations to the decision- maker:

- 1.1 Note the progress which has been made in performance across the “big six” areas of compliance and the further activity underway to further improve safety for our residents.
- 1.2 Note the actions completed toward improved safety for our residents.
- 1.3 Note that the Regulator of Social Housing has not pursued its request to agree a Voluntary Undertaking with the Royal Borough of Greenwich
- 1.4 Continue to note the timescales for “regulatory compliance” which have been shared with the Regulator of Social Housing;
- 1.5 Note the actions being taken by the service to tackle damp and mould within its homes;
- 1.6 Note the actions completed and planned to ensure compliance with the general requirements of the Regulator of Social Housing.

2. **Links to Our Greenwich missions**

- 2.1 This report relates to the Council’s agreed missions as follows:

- People in Greenwich have access to a safe and secure home that meets their needs
- People's health supports them in living their best life
- Everyone in Greenwich is safer, and feels safer
- People in Greenwich have access to a safe and secure home that meets their needs
- Neighbourhoods are vibrant, safe and attractive with community services that meet the needs of local residents
- Our Council is better at listening to communities, and communities feel they are heard
- We design our services around the needs of our residents

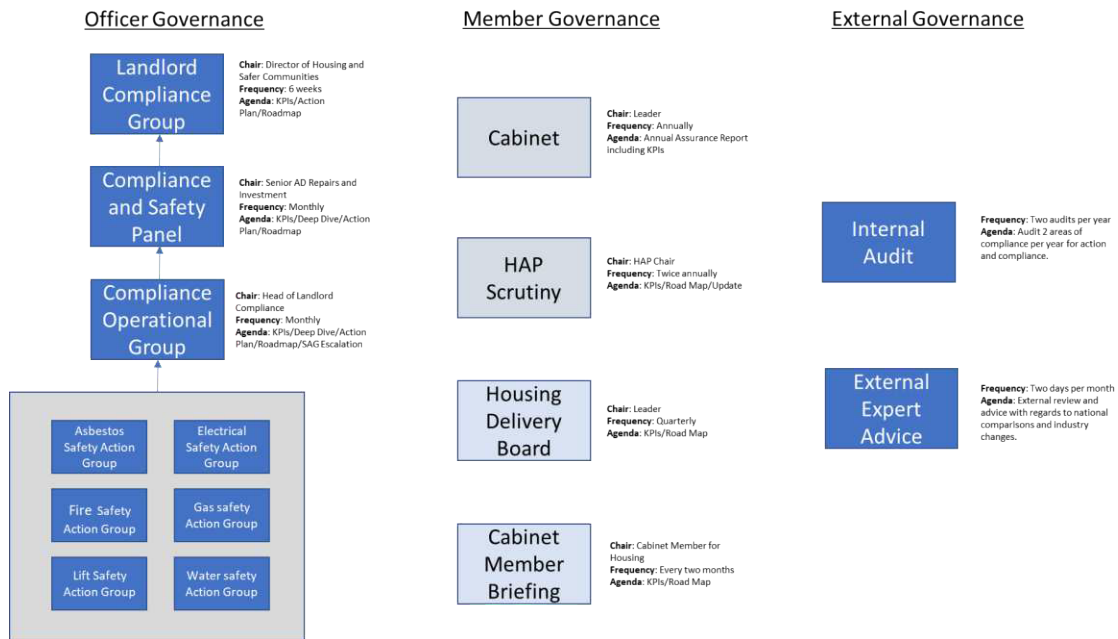
This report provides an update on Housing Safety and regulatory compliance across RBG's Housing owned Council Homes.

3. Purpose of Report and Executive Summary

- 3.1 This report updates Cabinet on the current performance with regards to “the big six” Housing Safety Compliance areas as part of the Housing Assurance Framework approved by Cabinet in December 2021.
- 3.2 This report also provides an update regarding damp and mould within our Council owned homes.
- 3.3 It also provides a summary of our activity to ensure that we comply with the requirements of the Social Housing Ombudsman and the Regulator of Social Housing (RSH).

4. Introduction and Background

- 4.1 In December 2021 Cabinet approved a new “Housing Assurance Framework” which would govern compliance with the Consumer Standards from the RSH. The Assurance Framework can be seen below:



- 4.2 The report also noted that the RSH is the government body tasked with overseeing the regulation of the social housing sector, regulating both local authority and housing association landlords, collectively known as Registered Providers (RPs). The RSH adopts an assurance-based co-regulation approach. This means that the local authority executive, usually the Cabinet, in local authority landlords, or the board of the housing association are responsible for ensuring they comply with the regulatory standards set by RSH.
- 4.3 The RSH's standards are specific obligations RPs are required to adhere to. These are split between consumer standards – the service residents receive, and economic standards – the financial viability of the RP. The consumer standards apply to both housing association and local authority landlords. Currently economic standards only apply to housing associations landlords.
- 4.4 The original four consumer standards were introduced by the Housing and Regeneration Act 2008 but as of the 1st April 2024, new Standards have been introduced as a result of the Social Housing (Regulation) Act 2023.

The new standards are:

- **The Safety and Quality Standard:** replaces the previous Home Standard and focuses on ensuring that landlords understand the condition of all of their homes and make use of that data to provide safe, quality homes. Landlords are required to deliver repairs, maintenance and planned improvements in an effective, efficient and timely manner, and must be clear on their health and safety responsibilities.

- **The Transparency, Influence and Accountability Standard:** this incorporates the tenant satisfaction measures and requires landlords to be transparent with tenants, treat them fairly and respectfully so they can access services. Tenants must be able to voice concerns where necessary, influence decisions, and hold the landlord accountable.
- **The Neighbourhood and Community Standard:** This is broadly similar to the previous Standard. It sets requirements for engaging with others to ensure safe and well-maintained homes and neighbourhoods.
- **The Tenancy Standard:** This is broadly similar to the previous Standard. It sets requirements for the fair allocation and letting of homes and for how those tenancies are managed and ended by landlords.

4.5 RBG took the decision to self-refer to the RSH on 13th May 2022 with regards to Electrical, Asbestos and FRA Actions. The Regulator also judged that RBG was failing the standards due to missing water risk assessments risking cause of harm to residents.

Current Performance

Indicator	Apr 2022	Mar 2023	Mar 2024
Percentage of blocks with a Fire Risk Assessment	100%	100%	100%
Percentage of High Rise (18m) with annual Fire Risk Assessment	100%	100%	100%
Percentage of other high risk buildings with current Fire Risk Assessment	58%	95.95%	99.36%
Percentage of low/medium rise building with current Fire Risk Assessment	63%	81.60%	98.57%
Number of overdue high priority fire action in High Rise blocks	312	316	170
Percentage of required annual Landlord Gas Safety Records	99.90%	99.88%	99.72%
Percentage of blocks with communal EICR	31.80%	17.40%	62.89%
Percentage of homes with domestic EICR	46.60%	38.60%	78.94%
Number of blocks with communal asbestos survey	63%	100%	100%
Number of high risk asbestos actions	303	57	0
Number of blocks with current Legionella Risk Assessment	100%	100%	100%
Percentage of lifts with current LOLER inspection	97.60%	90.90%	97.10%

4.6 A high-level summary of performance against the main performance indicators for “the big six” Housing Safety Compliance areas is shown below.

Update and Actions

- 4.7 **Fire Safety** – All residential buildings continue to hold a Fire Risk Assessment (FRA). A relatively small number of FRAs have not been reviewed and updated in line with RBG’s policy timescales. This is principally as a direct result of the sudden departure of an agency employed Fire Risk Assessor in March 2024. The timing of their departure meant that neither the in house or externally sourced capacity was able to respond in time to prevent a number of properties falling overdue. All but one of the in-house Fire Risk Assessor posts continue to be covered by agency resource supported by external capacity sourced from a competent provider. Alternative proposals are being drawn up which will seek to address this issue.
- 4.8 There has been a significant decrease in the number of high-risk actions in our high-rise buildings, and work continues to address these as well as FRA actions across our buildings. Actions underway includes:
- The addition of a third contractor to deliver a programme of fire protection related works.
 - The appointment of a service provider to support the team in addressing some higher risk “management” actions - For example dealing with residents’ possessions stored in communal areas.
 - The proposed appointment of a Tier One Contractor to deliver a £10 Million programme of fire protection works across our homes.
 - Analysis to identify works that can be delivered as part of the pending Capital Works programme to deliver economies of scale and reduce the impact of works upon residents without compromising on fire safety.
 - Consultancy support to create and track programmes of work is continuing.
- 4.9 **Electrical Safety** – Work on the fixed electrical testing programme and completion of associated Electrical Installation Condition Reports (EICRs) is continuing. As can be seen, significant progress has been

made over the last twelve months and the programme is currently delivering at a rate which exceeds the number of existing certificates falling overdue.

All homes without an EICR completed in the last five years have been issued to a contractor and Council staff are working to support contractors wherever access to homes proves challenging.

It is expected the performance will continue to improve broadly in line with the established programme over the coming months, and planning is already underway to help “smooth” the long-term programme to mitigate the financial and logistical impact of a large number of properties falling due simultaneously. This will take a number of years to implement and will be planned based upon the need to maintain a maximum interval between checks of five years.

- 4.10 **Asbestos** – As can be seen in the performance report, the requirement for all communal areas to have an in date asbestos survey is now being met. Additionally, all overdue high risk asbestos actions have been dealt with.

New contracts have been mobilised for the removal of asbestos containing materials across the borough. These went live in March 2024.

Work was also completed to deliver a new Asbestos Register for the Council’s homes. This also went live in March 2024. Final work is underway to update the Register with information about Asbestos which has already been removed, and this will continue for several months. Overall, the implementation of the Register is a significant step forward in the work underway to help keep residents and staff safe from harm.

- 4.11 **Gas** – We continue to see high levels of conformity on our annual Landlord Gas Safety Records (LGSRs). There was a very minor year on year decline in performance based upon the end of year “snapshot” Where we do not have access to properties we apply for a warrant of entry in the Magistrates Court. There are some issues primarily due to lack of court time which result in delays with listing these applications.

All the 53 properties overdue at the end of March 2024 were in the legal process.

4.12 **Legionella/Water** – We remain 100% compliant with our requirements for Legionella Risk Assessments.

4.13 **Lifts** – Performance in this area has improved marginally because of close contract management. The lift maintenance contract is currently at tender stage and may result in a new supplier.

Action Plan

4.14 The service is continuing to work on progressing its overarching action plan. This is managed via the Governance structure and shared with the RSH. Key areas of focus and their current progress are listed below:

- **Recruitment** - Key posts have now all been filled, with a permanent Fire Delivery Manager starting in post during the last quarter.
- **Management Plans** – Work is underway to develop up to date Management Plans and associated documented processes for key areas of the service.
- **Systems**
 - A new asbestos register (Teams Enterprise) has been implemented to support effective management of asbestos containing materials in our buildings.
 - The NEC system is now being used to manage electrical testing and Legionella Risk Assessment compliance.
 - The new Propeller system is being used to manage the FRA programme, Emergency light testing and the management of Legionella Actions
 - Work is underway to transfer to the management of other workstreams to RBG systems. The management of Fire Actions is likely to be the next area to transfer to the Propeller system with others work following through the coming months.

4.15 **Voluntary Undertaking**

Conversations with the RSH continued through the year in respect of entering a Voluntary Undertaking. These conversations have concluded for the time being and the RSH is not currently asking RBG to enter into a Voluntary Undertaking

Timescales

4.16 As part of our regular progress meetings with the RSH, RBG provided high level timelines within which it is currently expecting to achieve compliance in the outstanding areas. This timeline can be seen below:

Projected Completion Timeline	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24
Fixed Electrical Testing - Dwelling			36%	37%	39%	42%	45%	48%	53%	56%	58%	61%	64%	68%	74%	78%	82%	84%	86%	88%	90%	93%	96%	98%	100%
Fixed Electrical Testing - Communal			15%	17%	18%	20%	25%	30%	38%	45%	52%	59%	62%	66%	73%	80%	85%	90%	95%	100%	100%	100%	100%	100%	100%
Legionella Risk Assessment	99%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Asbestos Reinspections (Communal)	0%	0%	50%	80%	90%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Asbestos (Higher Risk Actions)		44%	50%	55%	60%	70%	72%	75%	80%	85%	90%	95%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
FRA Actions - "Substantial" Actions	10%	10%	12%	15%	18%	25%	30%	40%	50%	55%	60%	50%	52%	58%	60%	70%	80%	90%	100%	100%	100%	100%	100%	100%	100%
Smoke Alarm Installation Check	0%	5%	7%	8%	10%	15%	25%	35%	45%	55%	65%	75%	85%	90%	95%	98%	100%	100%	100%	100%	100%	100%	100%	100%	100%

4.17 As expected, the two areas which are taking the longest to resolve are electrical testing and fire actions. Some reprofiling of the work on fire actions has been necessary due to the complexity of some of the works as well as the challenges in obtaining competent contractors with the capacity to deliver.

New requirements - Building Safety

4.18 In addition to the work described above, RBG are also engaged in significant activity to comply with requirements set out in the Building Safety Act 2022. This is a very significant piece of Legislation and sets out many far-reaching requirements which sets out how RBG must manage fire safety, particularly in higher risk buildings (HRBs)

4.19 RBG currently have 67 HRBS and all of these have been registered with the new Building Safety Regulator (BSR). The BSR was established under The Building Safety Act 2022 to:

- regulate higher risk buildings.
- raise safety standards of all buildings.
- help professionals in design, construction, and building control, to improve their competence.

The BSR regulates high-rise residential buildings with:

- at least 7 floors or at least 18 metres in height
- at least 2 residential units
- care homes and hospitals during their design and construction phases.

4.20 Key to compliance with the Building Safety Act 2022 and other related Legislation is the preparation of Building Safety Cases for each of RBGs 67 HRBs. A Building Safety Case is a comprehensive set of documents and summary report that outlines how RBG know that Fire and Structural safety matters are properly managed and that residents are being engaged with in a way which is appropriate and specific to their needs. Preparation of building safety cases is a significant piece of work and RBG staff are working with consultants and technical experts to aid in the preparation of Safety Cases.

4.21 From April 2024, the BSR has commenced a “call in” process where they will ask the named Principal Accountable Person (PAP) to submit their Safety Cases on a building by building basis and to apply for a Building Assessment Certificate (BAC) for each HRB. There are estimated to be over 12,000 HRBS across the country that are subject to call in and the BSR is planning to “call in” applications over the next five years. The call in programme is to be prioritised based upon:

- Building height
- Presence of unremediated cladding
- Buildings constructed using a Large Panel System construction method (“Ronan Point style construction”) where mains gas supplies are present.

It is unknown how many buildings of this type are present nationwide, but based upon the information supplied by the BSR, RBG estimate that we have a minimum of seven HRBS that are likely to be called in during the first year of the programme. Efforts have been focused on preparing a safety case format (No standard format has been published by the BSR) and obtaining information and preparing the safety cases for these first seven buildings.

Damp and Mould

- 4.22 Over the previous year Royal Borough of Greenwich has had a key focus to improve service provided around damp and mould.
- 4.23 Key actions with regards to this have been a new “Damp and Mould Team”, including a new management structure. A new triage process within our contact centre and online; which will quickly highlight any high level cases or vulnerable residents. New resources to tackle damp and mould works and new proposed service level agreements and follow up processes.
- 4.24 The current approach taken is to complete a mould wash as soon as possible (to remove the hazard with the property) and then follow up quickly with a surveyor visit to identify the cause and raise any works required.
- 4.25 As at end of May 2024 the current performance is:
- Mould wash for vulnerable residents – within 3 working days
 - Mould wash (non-vulnerable) – 11 working days
 - Damp Survey – 11 working days
- 4.26 These performance figures can change on a monthly basis depending on demand but are far improved from where the service was 12 months ago.
- 4.27 The service is keeping a keen interest on the proposals for Awaab’s Law and are expecting that the current service provision should meet a lot of the proposed new requirements which may be made law.

Broader areas of regulation

- 4.28 We have been assessing our compliance with and progress towards the broader requirements of the RSH (outside those covered by the Regulatory Notice) through a Regulation Ready programme, the Board of which is chaired by the Director for Housing and Safer Communities. These broader requirements apply to all RPs.
- 4.29 The Regulation Ready Board has noted that there has been good progress towards compliance in the last six to twelve months. We

now self-assess ourselves to be fully compliant with 63% of requirements, and partially compliant with a further 26%. (Please note that these figures may change slightly as the RSH continue to issue clarifications on how some technical areas of guidance should be interpreted).

- 4.30 During the next six months, the Board will be focussing on the areas where we have identified gaps or potential for improvement in our compliance. These are:
- Understanding our stock condition (discussed in more detail above)
 - Improving our policies and procedures related to anti-social behaviour and hate crime: a project on this is underway, sponsored by the Assistant Director Housing Needs and Tenancy and the Assistant Director Community Safety and Environmental Health
 - Improving our policies on vulnerable residents and the data we hold on vulnerability and diversity: the data improvement process is underway and a project to review the associated policies is beginning in September.
 - Reviewing our tenant engagement strategy to ensure that it reflects the preferences of our tenants and residents and current best practice in the sector, particularly on responding to tenant feedback: this is ongoing work with a specific focus planned for the early autumn.
- 4.31 The RSH has stated that it knows its its requirements are stretching, it does not expect any RPs to achieve its highest possible inspection grade in the first year. Accordingly we are not expecting that RBG will reach 100% self-assessed compliance with its standards in 2024/5, but we aim to increase our compliance over this period.
- 4.32 We are commissioning a mock inspection with an expert in housing regulation, to take place in Q3 2024/5. We will use this to identify further areas for improvement and to refine the list of priority themes for action listed in 4.30 above.
- 4.33 Following this mock inspection and the completion of the actions associated with it, we intend to close down the Regulation Ready Board and move its actions to our business-as-usual activities and governance processes.

Tenant Satisfaction Measures

- 4.34 The RSH sets out 22 Tenant Satisfaction Measures (TSMs) – all RPs must report on their performance on these. They include 12 survey items and 10 items of management information (some of the latter are broken down to produce two figures).
- 4.35 Our TSM performance report for 2023/4 was agreed by the Cabinet Member for Housing Management in June 2023 is now published on our website at https://www.royalgreenwich.gov.uk/info/200172/housing/2509/using_tenant_satisfaction_measures_to_assess_our_housing_performance . This will be updated annually with an associated Lead Member report.
- 4.36 The RSH have not yet published comparative figures or rankings on TSMs for local authority landlords.

5. Available Options

- 5.1 Cabinet is asked to note the report as part of the assurance framework.

6. Preferred Option

- 6.1 Cabinet is asked to note the report as part of the assurance framework.

7. Reasons for Recommendations

- 7.1 Cabinet is asked to note the report as part of the assurance framework.

8. Consultation Results

- 8.1 There are no requirements for consultation for this report.

9. Cross-Cutting Issues and Implications

Issue	Implications	Sign-off
Legal including Human Rights Act	The purpose of this report is to update Cabinet on: <ul style="list-style-type: none">the progress which has been made in performance across the “big six” Housing Safety	Davidaire Horsford, Interim Head of Legal Services 9 August 2024

	<p>Compliance areas and the further activity underway to improve safety for residents;</p> <ul style="list-style-type: none"> • damp and mould within Council owned homes; • the actions completed and planned to ensure compliance with the general requirements of the Regulator of Social Housing and the Social Housing Ombudsman. <p>Under Part 3 (Responsibility for Functions) of the Constitution, Cabinet is authorised to agree the recommendations in paragraph 1.</p>	
<p>Finance and other resources</p>	<p>This report makes the following recommendations to the decision-maker:</p> <ul style="list-style-type: none"> • Note the progress which has been made in performance across the “big six” areas of compliance areas and the further activity underway to further improve safety for our residents. • Note the actions completed toward improved safety for our residents. • Note that the Regulator of Social Housing has not pursued its request to agree a Voluntary Undertaking with the Royal Borough of Greenwich. • Continue to note the timescales for “regulatory compliance” which have been shared with the regulator of social housing. 	<p>Joanne Stark Head of Accounting & Business Change 22nd July 2024</p>

	<ul style="list-style-type: none"> • Note the actions being taken by the service to tackle Damp and Mould within its homes. • Note the actions completed and planned to ensure compliance with the general requirements of the Regulator of Social Housing. <p>There are no direct financial implications arising from this report and it is for information only.</p>	
Equalities	<p>The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users. This report makes zero contribution to the Council's Equality and Equity Charter and the Council's Equality Objectives 2020-2024.</p>	<p>Richard Parkin Senior AD Repairs and Investment 17/07/2024</p>
Climate change	<p>This report makes no contribution to the Greenwich Carbon Neutral Plan as agreed by Cabinet on 18th November 2020.</p>	<p>Richard Parkin Senior AD Repairs and Investment 17/07/2024</p>
Risk Management	<p>Key risks attaching to the proposals in this report, together with applicable mitigating actions have been considered and detailed in the Background section above. The identified risks will continue to be monitored and managed in line with the Council's risk management Toolkit. This report addresses the risk to residents and the council and how we are addressing them</p>	<p>Richard Parkin Senior AD Repairs and Investment 17/07/2024</p>

10. **Report Appendices**

10.1 The following documents are to be published with and form part of the report:

- None

11. **Background Papers**

- There are no background papers to this report.

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