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Friday 15 March 2024

Notice of Meeting

Dear Member

Growth and Regeneration Scrutiny Panel

The **Growth and Regeneration Scrutiny Panel** will meet in the **Council Chamber - Town Hall, Huddersfield** at **10.00 am** on **Monday 25 March 2024**.

This meeting will be live webcast. To access the webcast please go to the Council's website at the time of the meeting and follow the instructions on the page.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read 'Julie Muscroft', on a light-colored background.

Julie Muscroft

Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

The Growth and Regeneration Scrutiny Panel members are:-

Member

Councillor Shabir Pandor (Chair)

Councillor Zarina Amin

Councillor Susan Lee-Richards

Councillor Harry McCarthy

Councillor John Taylor

Councillor Manisha Roma Kaushik

Jonathan Milner (Co-Optee)

Chris Friend (Co-Optee)

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Panel

To receive apologies for absence from those Members who are unable to attend the meeting.

2: Minutes of the Previous Meeting

1 - 8

To approve the Minutes of the meeting of the Panel held on the 26 February 2024.

3: Declaration of Interests

9 - 10

Members will be asked to say if there are any items on the Agenda in which they have any disclosable pecuniary interests or any other interests, which may prevent them from participating in any discussion of the items or participating in any vote upon the items.

4: Admission of the Public

Most agenda items take place in public. This only changes where there is a need to consider exempt information, as contained at Schedule 12A of the Local Government Act 1972. You will be informed at this point which items are to be recommended for exclusion and to be resolved by the Panel.

5: Deputations/Petitions

The Panel will receive any petitions and/or deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also submit a petition at the meeting relating to a matter on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10, Members of the

Public must submit a deputation in writing, at least three clear working days in advance of the meeting and shall subsequently be notified if the deputation shall be heard. A maximum of four deputations shall be heard at any one meeting.

6: Housing Growth Update

11 - 22

The Panel will receive an update on Housing Growth which was originally presented to the Scrutiny Panel in July 2023.

Contact: Liz Jefferson, Strategic Partnership Lead, Housing Growth
Tel: 01484 221000

7: Ad Hoc Scrutiny Panel - Health & Safety Compliance in Residential Housing Stock: Detail of Progress And Next Steps

23 - 42

To provide a progress update on the Ad Hoc Scrutiny Panel Residential Stock Health and Safety Compliance report and recommendations.

Contact: Naz Parkar, Service Director, Homes and Neighbourhoods and Martin Cooke, Interim Head of Assets and Building Safety

8: Complaints Handling in Homes and Neighbourhood

43 - 54

To inform the Growth & Regeneration Scrutiny Panel on the position with regards to complaints handling within Homes & Neighbourhoods.

Contact: Michelle Anderson-Dore, Head of Partnership, Homes and Neighbourhoods, Robert Scott, Partnership Strategic Manager

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

GROWTH AND REGENERATION SCRUTINY PANEL

Monday 26th February 2024

Present: Councillor Shabir Pandor (Chair)
Councillor Zarina Amin
Councillor Susan Lee-Richards
Councillor Harry McCarthy
Councillor John Taylor
Councillor Manisha Roma Kaushik

Co-optees Chris Friend

In attendance: Cllr Graham Turner, Portfolio Holder for Finance and
Regeneration
Edward Highfield, Service Director, Skills and
Regeneration
Simon Taylor, Head of Town Centre Programmes
David Wildman, Strategic Partnership Lead, Town
Centres Development
Johanna Scrutton, Planning Policy and Strategy Group
Leader
Andrea Lane, Team Leader, Planning Policy and Strategy
David Shepherd, Strategic Director, Growth and
Regeneration

Observers: Cllr Elizabeth Smaje, Chair of Overview & Scrutiny
Management Committee

Apologies: Jonathan Milner (Co-Optee)

- 1 Membership of the Panel**
Apologies were received from Jonathan Milner.
- 2 Minutes of the Previous Meeting**
That the minutes of the meeting held on the 15 January 2024 be approved as a correct record.
- 3 Declaration of Interests**
No interests were declared.
- 4 Admission of the Public**
All agenda items were considered in public session.

Growth and Regeneration Scrutiny Panel - 26 February 2024

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No public questions were asked.

7 Local Centres - Marsden

Cllr Graham Turner, Portfolio Holder for Finance and Regeneration, introduced the item, informing the Panel that the update will outline why Marsden is being worked on. The unlocking of some money from DLUHC (Department for Levelling up, Housing and Communities) levelling up fund, has given an opportunity to build on that work because Marsden has huge potential growth in economic terms.

David Wildman, Strategic Partnership Lead, took the Panel through a presentation explaining that the economic potential of Marsden is not being realised at the moment. He advised that it is a great successful village, however it has got a constrained commercial offer. There is a lot of out commuting, there are issues caused by local traffic and parking, and there are a great deal of unused properties and mills in the village that is impacting on the quality of place.

Funding has been secured through DLUHC for the regeneration and redevelopment of New Mills which is in the centre of the village, that came through the levelling up fund round two (LUF2). Alongside that, there is also the investment that is happening in the TransPennine Route (TRU) upgrade project to Marsden. Those two investment together, with an active community that has been realised through the recent place standard engagement, present an opportunity to do something positive in Marsden.

The Panel was informed that the masterplan will provide a structured approach, a framework to unlock the development and bring forward future opportunities for growth. In June 2023, a report was taken to Cabinet that delegated authority to progress with a masterplan. A further report will be going back to Cabinet in March 2024, to seek endorsement for a partnership led approach.

The masterplan will set out a longer term vision for Marsden and identify priority projects, this is both from a commercial, and a transport master planning point of view that will help the council and partners pursue future funding opportunities. It will build on local engagement and there has already been positive engagement to date, and that is where the proposed Community Partnership comes in to help embed a community and place led approach that can shape the masterplan.

The Council remains the accountable body in developing the masterplan, and the partnership will help to shape the vision, provide local insight, oversee community engagement and support the Council as an advisory body.

The Panel was shown an overview of Marsden, which highlighted key locations in the village, including local sports facilities, the train station, canal and New Mills.

With regard to the community led approach, the Panel was informed that the aim is to form a partnership made up of ten local invited representatives, with no more than

Growth and Regeneration Scrutiny Panel - 26 February 2024

nine or ten members including one representative from each of the following: - Marsden Community Trust, Marsden Community Association, Kirklees Council, Ward Councillor, local businesses, local landowner and/or developer, youth based/sports group, community group/organisation and local schools. Following attendance at this scrutiny meeting and the Cabinet meeting in March, work will be undertaken with the community to identify individuals to represent in this partnership.

The Panel was informed that the scope of the masterplan will reflect on lessons learned from previous local centres masterplan development work, and the community partnership approach will help to ensure that local issues are understood.

The Council being accountable, will ensure gateways and milestones are worked through and that the Council and the partnership are comfortable with the progress being made. Engagement and consultation will be important throughout, and the Council has recently completed the place standard work and there were a series of engagement which will result in a place standard action plan. The aim is to build on what has gone before, and trying to align it with the engagement that will be undertaken on the Trans Pennine route upgrade and also with the consultation that the private team will undertake on the mill in due course.

The Panel was informed that with regard to the New Mills development, £5.6m funding was secured from DLUHC to support the redevelopment of the site. There is a total project value of approximately £17.5m and it will be used for refurbishing the existing mill, creating commercial space, new office space and potential residential. It's will focus on the lack of employment as there is a demand for employment space in the village. Whilst the funding is allocated to the Council as the accountable body, the work is private sector led by a Development Team.

New Mills progress to date includes:

- Regular liaison between the Council and the Development Team
- During December 23 , the Development Team undertook engagement and site visits with Historic England, community representatives, and the Council's Planning and Heritage officers
- In Dec 23 the Development Team submitted a pre-app submission to Historic England (and are awaiting feedback). Council has engaged with team at Historic England.
- Development Team plan to submit a pre-app application to Council as Planning Authority in February 2024 – Council proposing a multi-disciplinary workshop to follow the pre-app submission to discuss options and next steps.
- Council has engaged with the Levelling Up Places Service – once pre-app is submitted the Council and DT will seek input from a Place Advisor.
- Council engaging with DLUHC and helping to strengthen working relationship

Growth and Regeneration Scrutiny Panel - 26 February 2024

Next steps/Timescales

Feb 2024

- Briefings with Ward Councillors and MP
- New Mills Development team pre-app submission to Planning Authority

March 2024

- Cabinet approval sought to progress with Partnership & Masterplan
- Place Standard Action Plan agreed

March – April 2024

- Community Partnership established to support Masterplan

March - May 2024

- Procurement of external support for Masterplan

March – June 2024

- New Mills planning app development inc. engagement & consultation*
- TRU engagement*

Summer 2024

- New Mills planning app submitted*

June – Dec 2024

- Development of Masterplan and Delivery Plan

*Subject to emerging programmes & ongoing discussions

In response to the information presented, the Panel made comments and asked questions including some of the following:

- In terms of transport, at what point will they come in and look at the infrastructure and will it be someone external or will the Council be using its own resources for that?
- It seems like a fascinating project, however, there didn't seem to be any mention of actual parking being increased for the new development, because parking at the moment in Marsden can be difficult and it can get very congested.
- A specific request would be that, if planning impose any conditions as part of the development that these are enforced before the developer gets sign off. Previously, there was a condition put on by planning that access be made across the canal to the chemist, which was relocating, however this has never been done.
- Thanks to the officers for the work that they have done on this because this has been an impressively quick turnaround. As previously mentioned parking is one of the biggest issues and it is hoped that this can be dealt with as part of the planning application

Growth and Regeneration Scrutiny Panel - 26 February 2024

- With regard to the pre-application submission, will there be an opportunity to have sight of that and feed it into planning because one of the few levers is going to be through the planning process?
- With reference to the information presented, why Marsden, because the issues caused by traffic, parking and unused property which impact on the quality of place, is the same argument that could be said for a number of other areas in the district?
- With regard to the membership of the Community Partnership Board, it was mentioned that the aim is to follow a similar approach taken with town boards, however, town boards includes the MP, therefore why is the MP as the elected representative for the Marsden area, not included in the Community Partnership Board membership?

RESOLVED:

- a) That David Wildman, Simon Taylor and Cllr Graham Turner be thanked for providing an update on the Local Centres, Marsden.
- b) The Panel recommends that the local MP for the Marsden area be included in the membership of the Community Partnership Board, and that this is reflected in the report that will be going to Cabinet.

8 Kirklees Local Plan Update

Cllr Graham Turner, Portfolio Holder for Finance and Regeneration introduced the item, advising the Panel that this is likely to be the first of many updates as the Local Plan is rolled out. Progress is being made, however, as the Panel will appreciate, these things take time, and there is short capacity within the Planning Department, however reasonable progress is being made and things are moving forward.

Johanna Scrutton, Planning Policy and Strategy Group Leader, provided the Panel with an update on the Local Plan Review, advising that the review was undertaken in the summer 2023, in order to get it through the process before the end of the five year period, which for Kirklees was February 2023. A report outlining the process to be taken was presented to the Scrutiny Panel in September 2023.

The Panel was reminded that the assessment was based on the Planning Advisory Service Review template which looked at three main topics covering 14 questions, regarding the delivery of the spatial strategy, whether there were any Council priorities that had impacted on the plan, and whether the plan policies themselves were still compliant with local plan guidance.

The review outcome indicated that the plan was out of date in several areas including, the lack of five year land supply, the Council not meeting its housing delivery targets, and the potential for employment delivery. There were known sites that were coming forward, however they had yet to enter the planning process in terms of the Council's priorities. While the Local Plan was found to be sound in terms of sustainability, the Council's climate action plan was developed after the

Growth and Regeneration Scrutiny Panel - 26 February 2024

plan was adopted, therefore, the review provided an opportunity to relook at plan policies to assist towards net zero.

In terms of the planning policies, service users were spoken to, monitoring for development management in applications and appeals were looked at, and most of the policies were still found to be working. It is also important to stress that the whole of the plan is not out of date, the Local Plan National Planning Policy Guidance and the supplementary planning documents will continue to be the main tools that will be use in determining planning decisions.

The Planning Officers Society were invited to give an independent view on whether it should be a partial or a full review. In their opinion, because of the interrelationship between the strategy, the planning policies, the cost and transparency to communities, it was determined that it would be better to do a full review.

The Panel was informed that in order to address the situation that the Council did not have a five year land supply, an interim housing position statement was produced, and that was presented to scrutiny in November 2023 and taken to Cabinet in December 2023. Work has also been undertaken on a revised Local Plan timetable, which is not just the timetable for the local plan, but a whole range of other planning policy documents and the Statement of Community involvement has also been updated. These went out to consultation from November to December. The Statement of Community Involvement was updated on the basis of comments and feedback and the aim is that both those documents will go to Cabinet in March 2024.

The Panel was provided with a summary of the main elements of the plan that is currently being worked on, and advised that an early engagement exercise will be undertaken, inviting community comments on the vision objectives and the contents of the plan.

The Panel was referred to section 2.7 of the appended report which outlined the evidence and advised that:

- the National Planning Policy Framework (NPPF) requires the Local Plan to be underpinned by relevant, up-to-date and proportionate evidence and which considers relevant market signals and is relevant to the plan making area
- there is evidence from stakeholders and consultation

The range of evidence will be used to inform not only whether the Council's policies could be developed further, it will help inform the climate change policies, and also it will help shape and inform the spatial strategy.

The Panel was informed that with regard to the sites, there has been a call for sites which has been open since 2020, which is ongoing and will be promoted again as part of the early engagement. Sites are coming through for that process which will need to be assessed once the housing and employment needs and requirements are established. There is an ongoing brownfield land register, and work is being

Growth and Regeneration Scrutiny Panel - 26 February 2024

undertaken internally with different services to look at identifying priorities and what the needs are, and how to accommodate those.

There is a great deal coming through in planning guidance with the revised planning policy framework, and there are more changes proposed and as it progresses there will be further opportunity for Scrutiny.

In response to the information presented, the Panel made comments and asked questions including some of the following:

- Can you outline how this work is going to align with the environment strategy work, because the environment strategy has quite a bit about housing and brownfield first approach, and people being within a certain walking distance of green spaces. Therefore, can you outline how the Local Plan work, and the Environment Strategy are going to fit together?
- Whilst reading this report, it is clear that it is a significant project, however it is difficult to see how things comes together. Is there any way of producing graphics that show all the different threads, how they come together and what the key points are to help to get a handle on this and see how it flows through?
- Many of the houses that are coming forward are either in flood plains or affected by inadequate drainage. How good and up to date is the strategic flood risk assessment and even when not in flood zones, is an account taken for the displacement of water from areas surrounding the development, and what measures are put in place for that?
- With regard to flooding and the requirement on an individual development to put in place attenuation tanks based on an assessment of the likelihood of flooding, is there anything that can be done through this process, to update council policies to give more strength to the planners when they are looking at these developments, that they put greater emphasis on the amount of surface water that they are able to capture through these tanks?
- Currently, in planning policies there does not seem to be anything that adequately picks up on the issue of cumulative impact for example on matters such as flooding and transportation.
- One of the issues that does not appear to have been mentioned and raises questions about whether there is something that can be done through planning policies to strengthen, and tackle the fact that retailers shrinking and to encourage town centre living or convert some of the retail space into other usage. It would be advantageous to build something into policies and visioning with regard to that.
- In terms of the early engagement, what will be the role of Councillors in that, as it is not clear from the report if Councillors are treated as one of the stakeholders.
- How do you define housing need, for example in Dewsbury? Is it the people who live in Dewsbury, or is it the whole of Kirklees. It is not about the numbers; it is

Growth and Regeneration Scrutiny Panel - 26 February 2024

the type of houses, and therefore there needs to be place-based housing policies to identify the types of housing that need to be built in different parts of the district as they are going to be very different.

- Kirklees is a very diverse area with different communities, and the current plan does not seem to reflect this, and appears to be a more broad-brush approach. There is a piece of work to be done around how do we square that and how to get the right types of houses built in the right areas that reflect the demand in those areas? It is important that Council policy better aligns with what the actual demand and the housing need is in a particular locality.
- How much discretion does the Council have, in terms of the types and numbers of housing, and how demand is met?
- What comes first, the Local Plan or the transport needs assessment for different places and how do they fit together? Many areas are now suffering from a lot of infrastructure not being there to support what is being built or has been built. Has consideration been given to how to improve the connection between infrastructure and local plan, if there is no plan for our infrastructure, how do all of these developments that are going to come forward and have already come forward feed into that infrastructure need that already exists?

RESOLVED:

That

- a) Johanna Scrutton, Andrea Lane, Edward Highfield, David Shepherd and Cllr Graham Turner be thanked for providing an update on the Local Plan.
- b) officers undertake a task to create a flow diagram of the main stages of the Local Plan process and what is required at those stages to aid understanding of the plan requirements/outcomes.

9 Work Programme and Forward Plan

RESOLVED:

That the panel work programme and Forward Plan of Key Decisions be noted.

KIRKLEES COUNCIL

COUNCIL/CABINET/COMMITTEE MEETINGS ETC

DECLARATION OF INTERESTS

Growth & Regeneration Scrutiny Panel

Name of Councillor

Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest

Signed:

Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

(a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and

(b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



Growth & Regeneration Scrutiny Panel 25th March 2024 – Housing Growth Update

Agenda Item 6

Purpose of today

To update on issues presented to Scrutiny in July 2023

Accordingly the update will cover projects that span the following programmes:

- Strategic Allocations
- Accelerated Construction delivery
- Specialist and Supported Housing
- Affordable Housing
- Registered Providers programme
- Brokerage service
- Pipeline sites

Collaborative Working and Strategic Partnerships

In Housing Growth we collaboratively work with many External and Internal Partners:

External Partners:

- ✓ Homes England
- ✓ WYCA
- ✓ Historic England
- ✓ Housing 21
- ✓ One Public Estate (OPE)
- ✓ Systra
- ✓ Keepmoat
- ✓ Thirteen Group
- ✓ Equans
- ✓ AHR
- ✓ MACE
- ✓ Arcadis
- ✓ Network Rail/TRU
- ✓ Cushman and Wakefield

Kirklees internal teams:

- ✓ Procurement
- ✓ Adults and Health
- ✓ Communities / Active Citizens
- ✓ Planning & Building Control
- ✓ Assets
- ✓ Legal
- ✓ Allotments and Park Team
- ✓ Capital Delivery
- ✓ Education
- ✓ Highways
- ✓ Major Projects
- ✓ Children's Services
- ✓ Finance
- ✓ Risk
- ✓ Comms



Strategic Housing Sites: Dewsbury Riverside



Background

- Largest housing allocation in Kirklees and key site in the West Yorkshire Strategic Place Partnership Priorities, comprising of multiple landowners including Kirklees Council.

Milestones

- ❖ New allotments completed
- ❖ Communities work exemplar
- ❖ Planning permission granted
- ❖ Joint working with **Homes England**
- ❖ Cabinet update and delegations agreed in **November 2023**
- ❖ Strategic highways work
- ❖ Legal advice commissioned



Strategic Housing Sites: Bradley Park

Background

- Local Plan housing allocation, mostly in Council ownership.
The overall allocation is **c68 hectares**.

Milestones

- ❖ **£800,000 of Capital Funding** secured
- ❖ **Highways – detailed work** ongoing funded by WYCA
- ❖ Discussions started – **strategic property acquisitions**
- ❖ **Procurement documents** drafted



Ashbrow / Ash View Extra Care

Background

- 50 bed Council Extra Care scheme plus 111 mixed tenure units.
- 98 market sale, and 13 affordable homes.

Milestones

- ❖ External works to the building have been completed

Next Steps

- ❖ Extra Care practical completion **Sept 2024**
- ❖ Extra Care fit out and staff training **Oct 2024-Jan 2025**
- ❖ Tenants move into Extra Care facility **Feb 2025**



Accelerated Construction Programme: Soothill / The Orchards, Batley

Background

- Council owned Local Plan housing allocation with a number of pre-development constraints.
- **Homes England Accelerated Construction Programme (£4.59m grant)**
- Contractor – Keepmoat Homes – **319 homes** in total, **95** of which will be **affordable homes**.

Milestones

- ❖ **86** Plots under construction
- ❖ **46** Plots Occupied (including 36 affordable Housing Plots)
- ❖ S106 Provision **65** plots (29 shared ownership and 36 affordable rent)
- ❖ An extra **30** plots have been transferred to **Incommunities**, these are split into 6 rent to buy, 17 affordable rent and 7 shared ownership



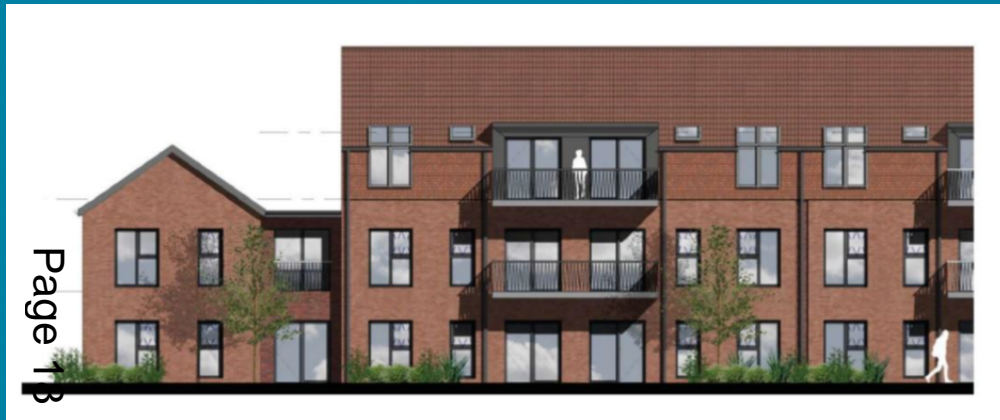
Extra Care: Kenmore Drive, Cleckheaton

Background

- 80-bed Affordable Extra Care & Public Open Space in partnership with Housing 21.
- Homes England support through Affordable Homes Programme.

Milestones

- ❖ Despite previous main contractor insolvent in early 2023, H21 have successfully lined up a replacement - **Robertson Construction**.
- ❖ A multidisciplinary team of council officers is supporting the **Housing Growth Team** to deliver the project, including **PROW, Planning, Highways & Legal** colleagues.
- ❖ Successful resident engagement event took place in **December 2023**.
- ❖ Ground breaking ceremony **23rd February 2024**.



Affordable Housing Delivery and Brokerage Service

Affordable Housing Delivery

- The **Housing Growth Affordable Housing Team** - first point of contact
- **Section 106 agreements** (Planning)
- **Registered Providers** – direct delivery
- **Fee charging**

Brokerage Service

- The **Brokerage Programme** aims to increase housing delivery on privately-owned sites.
- ‘**Brokerage Brochure**’
- **WYCA Brownfield Housing Fund support – Parkwood Mills, Plane Street**



Fenay Lane, Almondbury

Background

- Council owned housing allocation
- **WYCA Housing Revenue Funding** utilised

Milestones

- ❖ **Cabinet approval in November 2023** to dispose of the site to a **Homes England Strategic Partner** via a competitive land sale
- ❖ **Soft market testing**
- ❖ Procurement process now starting
- ❖ Further **WYCA Housing Accelerator Funding** secured to support site disposal.



Housing Growth Delivery and Pipeline

On site / Live Projects	Units to be delivered by 2026
Ash View Extra Care - onsite	50
Ash Brow/ Pennine View - onsite	111
Soothill / The Orchards - onsite	319
Kenmore Drive - onsite	80
RP Clusters - in planning	207
	Total 767

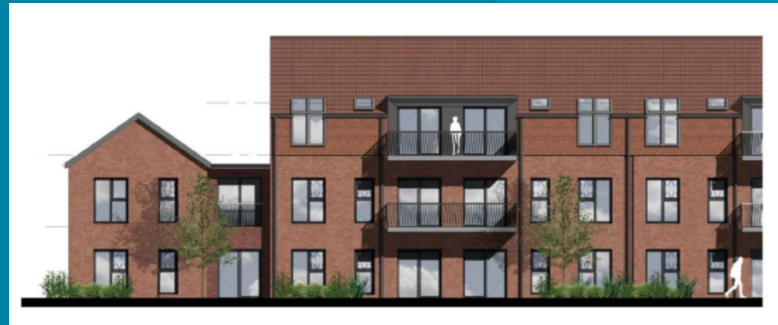
On-going / In Development	Units to be delivered by 2030
Fenay Lane	157
Dewsbury Riverside – Phase 1	350
Bradley Park – Phase 1	474
Estate Buildings – town centre living	53
Daisy Hill – town centre living	200
	Total 1,234

Cumulative total	2,001
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Affordable Housing Delivery Facilitated by Housing Growth

S106 Delivery Summary 2023 (Q1&Q2)	Social Rent	Affordable Rent	Social or Affordable Rent	First Homes	Discounted Market Sales	Shared Ownership	Intermediate	Total
	27	27	30	34	9	5	41	173

RP Delivery 2023 (Q1&Q2)	Social Rent	Affordable Rent	Shared Ownership	Rent to Buy	Total
Quarter 1	26	26	27	8	87



Press Releases & Good News Stories

- There have been many good news stories and milestones published over the last year about our Housing Growth Projects.
- This is just a sample and doesn't include other material published by our partners.

Work set to begin on Huddersfield affordable homes scheme

Posted on February 23, 2024 in Top News



Work is about to start on a new affordable housing development in Newsome, Huddersfield.

30 two and three-bedrooms properties will be delivered by BME housing association Unity Homes and Enterprise in partnership with Kirklees Council, Homes England and West Yorkshire Combined Authority.

Kirklees Council to deliver affordable homes in Batley

Posted on December 1, 2022 | by liamkirklees



We are working in partnership with Keepmoat Homes to develop 319 homes on council-owned land in Soothill, Batley.

Significant progress with new Extra Care housing in Ashbrow

Posted on February 1, 2024 | by EliseKirklees



Progress continues at Ashbrow's new housing development, with 50 new apartments dedicated to helping people with extra care needs live independently.

New allotments pave the way for large housing development in Dewsbury

Posted on July 11, 2023 | by liamkirklees



We've just created a new allotment site on Ravensthorpe Road in Dewsbury. These allotments will pave the way for a much larger development very nearby!

Spades in the ground on new extra care housing scheme

Posted on February 8, 2023 | by liamkirklees



The first shovels are in the ground for a new housing development in Ashbrow, which will help people with extra care needs live independently.

Cabinet approves sale of Almondbury land for housing

Posted on January 23, 2024 | by EliseKirklees



Work progressing on Dewsbury's Daisy Hill

Posted on December 13, 2023 | by EliseKirklees



Improvements on Daisy Hill are moving forward, with lots of different properties now under development and big plans for future work underway.



REPORT TITLE: AD HOC SCRUTINY PANEL - HEALTH & SAFETY COMPLIANCE IN RESIDENTIAL HOUSING STOCK: DETAIL OF PROGRESS AND NEXT STEPS

Growth & Regeneration Scrutiny Panel	25 th March 2024
Cabinet Member	Councillor Moses Crook Housing, Highways & Transportation
Key Decision Eligible for Call In	No No (already been reported to the Cabinet)
<p>Purpose of Report To provide a progress update on the Ad Hoc Scrutiny Panel Residential Stock Health and Safety Compliance report and recommendations.</p>	
<p>Recommendations Officers recommend that actions identified as ‘ongoing’ be reported on less frequently to Building Safety Assurance Board (BSAB) (please see paragraph 1.6 and additional information in the appendix). This is because the change has now been embedded and officers feel it can be reported on less but should still provide regular assurance. Cabinet is asked to acknowledge progress made in these actions and confirm that this is sufficient for these to form part of ongoing good practice (business as usual). The actions identified primarily relate to ongoing engagement and assurance across councillors and residents.</p> <p>Officers recommend a further update be brought to Cabinet in the next twelve months. In order to provide assurance and demonstrate progress made and seek further decisions on ongoing actions as appropriate.</p> <p>The report was presented to the (former Housing and Democracy) Portfolio Holder on 8 August 2023 and to the H&N Improvement Board on 18 September 2023. All agreed with the officer recommendations set out above.</p> <p>Reasons for Recommendations Good progress has been made in delivering the recommendations of the Panel and two have been identified as complete, and six have been identified as ‘ongoing’ actions that will always require consideration as part of good practice.</p> <p>It is important the Cabinet continues to have oversight and governance of the progress in delivering the remaining recommendations through to completion and are assured that health and safety risks in council housing are appropriately managed and responded to.</p> <p>The report was presented to Cabinet on 17 October 2023</p> <p>Decision: RESOLVED:</p> <p><i>That actions identified as ongoing be reported less frequently to the Building Safety Assurance Board and that Cabinet acknowledge the progress made is sufficient to form ongoing good practice.</i></p> <p><i>That a further update be considered at a future meeting.</i></p>	

Resource Implications

The cost of managing and maintaining the council’s housing stock is funded from the Housing Revenue Account (HRA) and the HRA business plan has accommodated the costs associated with the work outlined below and has made provision for the remaining actions that are partially complete.

Date signed off by Strategic Director & name

David Shepherd
9 August 2023.

Is it also signed off by the Service Director for Finance?

Isabel Brittain - Service Director Finance (S151 Officer)
6 October 2023

Is it also signed off by the Service Director for Legal Governance and Commissioning?

Julie Muscroft – Service Director Legal
4 October 2023

Electoral wards affected: All

Ward councillors consulted: Not applicable

Public or private: Public

Has GDPR been considered? There are no GDPR implications arising from the report.

1. Executive Summary

- 1.1 At a meeting held on 18 March 2021, the Overview and Scrutiny Management Committee agreed to establish an Ad Hoc Scrutiny Panel to consider health and safety compliance for the Council’s residential housing stock considering the changing regulatory landscape and the housing management and maintenance functions which transferred back to the Council on 1 April 2021. The Panel considered the Council’s policies, procedures and arrangements for managing the health and safety of its residents and its residential portfolio, with a particular focus on high rise and multiple occupancy blocks.
- 1.2 Between July 2021 and July 2022, the Panel used a range of methods to gather evidence to inform the Ad Hoc Scrutiny Panel [Health and Safety Compliance in Residential Housing Stock Report](#). The report also included an action plan and a set of seventeen recommendations. The report was presented to Cabinet in December 2022 where the recommendations and action plan were agreed.
- 1.3 The recommendations have since been aligned to actions and recommendations from previous audits and independent reviews including the RMS ‘Robust Management System’ review (‘the RMS Compliance Review’) and the Mazars Audit.
- 1.4 The action plan is managed by the Building Safety and Assurance Board (BSAB) and members are asked to provide bi-monthly updates on progress. Building Safety management and progress is also overseen by the recently established Homes and Neighbourhoods Improvement Board (HNIB).
- 1.5 The action plan has made significant progress since presentation at Cabinet in December 2022. An appendix report (Appendix 1) has been provided to detail progress and where actions have been completed.

- 1.6 Of the seventeen recommendations, two have been identified as complete, and six have been identified as ‘ongoing’ actions that will always require consideration as part of good practice. Steps have been taken within the ‘ongoing’ actions to ensure Ad Hoc Scrutiny recommendations have been incorporated. Mechanisms for monitoring and review have also been implemented to ensure that processes are being adhered to and are fit for purpose. All other actions have made good progress, with the remaining nine actions being 50% complete or higher.
- 1.7 A priority activity which has incorporated multiple recommendations is the Management Plans project. Homes and Neighbourhoods commissioned Savills in Spring 2023 to complete a series of Management Plans across three priority areas of the ‘big 6’ – fire, asbestos and lifts. This has progressed well, with the Management Plans now completed and redesigns/implementations identified for completion between October 2023 and June 2024. The Fire Safety Management Plan was approved by the Cabinet at its meeting on 12th March 2024. The project has a defined scope and assurance – reporting via BSAB and the H&N Improvement Programme to the Homes and Neighbourhoods Improvement Board (HNIB). The Management Plans also report into the change governance structures – providing regular reports to the H&N Improvement Programme Board which reports into Transformation Portfolio Board. The commission also included a data validation exercise to support H&N to review data quality and integrity across its building safety compliance activities. This was further supported by Corporate Data and Insight through August 2023.
- 1.8 Further progress has also been made in relation to skills, capabilities and resources. A Service Manager for Programme and Performance was recruited and in post in April 2023 but left the council in December 2023, whilst a dedicated Project Manager has also been assigned to the Management Plans. An Assurance Manager (risk) was appointed to the role in October 2023 and is now in post. The Assets Team is also developing a PMO, to create rigorous governance and consistent programme/project management approaches for planned works and capital delivery. This will also be reviewing what additional project and performance resource is required. A skills and competencies framework across Building Safety, including an organisational structure of roles and responsibilities and a skills gap analysis, is due to be completed by October 2023. This will address competencies required at three levels – strategic, operational and delivery.
- 1.9 The Fire Safety Resident Engagement Team (FSRE) has completed a number of Person-Centred Fire Risk Assessments with vulnerable residents, in collaboration with the Fire Service and Building Safety Team. The team, alongside Housing Management Officers, have spent considerable time building and maintaining relationships with residents who require additional support in relation to hoarding. The team now has appropriate plans in place to support resident safety in relation to fire risks and these relationships continue to be maintained with residents through regular check-ins and engagement. In addition to this, 17 Fire Safety champions are in place; residents living in high-rise properties, they support the Council and Fire Service in delivering safety messages to their fellow residents.
- 1.10 Officers have identified a series of next steps and timelines (detailed in the appendix and point 6 below) and it is recommended that completed actions be removed from the action plan.

2. Information required to take a decision

- 2.1 In December 2022, Cabinet requested to be kept abreast of progress with an annual follow-up report at Cabinet. Cabinet is asked to review and note progress and provide challenge and direction across planned next steps.
- 2.2 Where actions are identified as 'ongoing' and appropriate measures have been actioned, Cabinet is asked to consider the frequency and level of reporting on these actions. It is proposed that updates be provided quarterly to Building Safety Assurance Board for 12 months after which time reporting requirements be reviewed.

3. Implications for the Council

3.1 Working with People

- 3.1.1 The Tenant Advisory and Grants Panel (TAGP) and Tenant Voice Panel (TVP) continue to be consulted with on developments from BSAB, and TVP is also represented on the HNIB via the acting chair of TVP attending HNIB.
- 3.1.2 There is a dedicated Fire Safety Resident Engagement Team that works in conjunction with the Fire Service. The team provide regular updates to residents living in high-rise blocks to ensure they are informed and able to challenge and support plans to mitigate risks to their homes.
- 3.1.3 Person Centred Fire Risk Assessments (PCFRAs) have been undertaken for and with vulnerable residents in high rise blocks and where referrals have been received and are now being undertaken in 6-storey blocks. In cases where hoarding is identified, PCFRAs are completed with residents with support from Housing Management Officers (HMOs) who dedicate regular time to building relationships with residents and ensuring additional support is in place where required. They and the Fire Safety Resident Engagement (FSRE) Team assist residents to declutter their properties. HMOs maintain relationships with residents through regular checking in to ensure any additional concerns are identified and managed early. Many residents enter into voluntary agreements about how they will manage their homes in future.
- 3.1.4 Previously, consultation has been undertaken with residents at Harold Wilson Court in relation to the implementation of major fire safety works prior to a decision being made by Cabinet. Engagement will continue with residents throughout the duration of the works and post completion to ensure resident safety and involvement.

3.2 Working with Partners

- 3.2.1 Officers continue to work closely with WYFRS and carry out engagement days in a number of different settings, these are usually driven by partnership concerns e.g. increases in secondary fires. Where WYFRS request to carry out training in our buildings e.g last year at Buxton House this is supported and used as an opportunity to engage with tenants.

3.2.2 West Yorkshire Fire and Rescue Service (WYFRS) is involved in managing and mitigating ongoing risks to Council homes and buildings. Meetings are held on-site with WYFRS monthly to discuss risks, issues and actions. The impact of remedial works on the safety of buildings will reduce and change these risks and WYFRS will help the development of proposals through advice and guidance on best practice and designing to support their response to incidents. Homes and Neighbourhoods Improvement Board (HNIB) has requested that a protocol be put in place with WYFRS in relation to working together and sharing information and intelligence – for example where residents have PCFRAs or are known to be hoarders.

3.3 Place Based Working

3.3.1 The approach to engagement with residents is place-based. As part of the approach to taking intelligence-led decisions, data sources are currently being explored to identify reoccurring concerns within particular property types or particular streets/communities to allow resources and cyclical plans to be directed accurately.

3.4 Climate Change and Air Quality

3.4.1 The recommendations set out in the Ad-Hoc Scrutiny Action Plan do not have specific implications for climate change and air quality. Work on project delivery relating to building safety is looking at the climate impacts of activity and how to manage and reduce these.

3.5 Improving outcomes for children

3.5.1 The provision of safe, good quality, decent homes and neighbourhoods will help to contribute to improving outcomes for children. All officers who attend residential homes undertake mandatory safeguarding training and report any concerns through appropriate channels where a child (or person) is considered to be at risk from harm.

3.6 Financial Implications

3.6.1 The recommendations set out in the Ad-Hoc Scrutiny Action Plan do not have specific financial implications for people living or working in Kirklees. Work on project delivery relating to building safety continues to assess financial viability of investments and the impact of these on the HRA.

3.7 Legal Implications

3.7.1 The Council has numerous statutory duties and obligations as a registered housing provider and must comply with regulatory standards relating to the health and safety of its tenants/leaseholders. Failure to comply could compromise tenant safety and result in a breach of regulatory standards and enforcement action against the Council. Any procurement relating to new IT systems will be in accordance with the Council's Contract Procedure Rules (20230 and the Public Contracts Regulations 2015/new Procurement bill when in force.

3.8 Other (eg Risk, Integrated Impact Assessment or Human Resources)

3.8.1 Where actions arising from the plan result in changes to the service delivered, i.e. a new Management Plan process changes the frequency of an inspection or reporting regime, then an IIA will be undertaken.

4. Consultation

4.1 Not applicable.

5. Engagement

5.1 Engagement is on-going with residents and councillors where particular wards and/or building are undergoing changes or planned activities. As noted above, H&N continues to make significant developments in building relationships with residents in relation to fire safety. Further planned activities for engagement and co-design are also underway within the service's redesign of damp, mould and condensation processes.

6. Options

Options considered

6.1 Not applicable.

Reasons for recommended option

6.2 Not applicable.

7. Next steps and timelines

7.1 A detailed break-down of next steps and timelines has been provided in the appendix document. The following provides a high-level view of the priorities activities expected to be completed over the next six months.

Management Plans

7.1.1 The majority of the Savills commission is now complete, with Management Plans and gap analysis' completed for fire and lifts. The asbestos Management Plan and gap analysis is due by September 2023. All processes across fire, lifts and asbestos are expected to be resigned and embedded by January 2024.

Assets System Implementation

7.1.2 Currently, the focus in Homes and Neighbourhoods is on the development and implementation of a new housing management IT system (Cx). This is planned for implementation in late 2023 (to early 2024). Upon completion of this, the next steps are to develop system specifications for the replacement repairs system with a view to procure/implement the new system for repairs between 2024 and 2026. User requirements for the repairs IT system will be gathered during a planned repairs process redesign activity in October 2022. The replacement asset system is scheduled for procurement and implementation following the procurement of the repairs system. Assets continue to explore options for the procurement or development of an IT system dedicated to compliance.

Data Validation

- 7.1.3 The output from the commissioned Savills data validation exercise is expected imminently. The commission explored data and reports held within IT systems in relation to compliance activities (e.g. certificates and reports on cyclical checks – gas, electric etc) plus data aligned to upgrade programmes. It is noted within the H&N Risk Register that data integrity remains a high risk to the service.

A second piece of work is also currently in scope with the corporate Data and Insight Team to thoroughly understand data management and quality across the six areas of building safety compliance, through a series of data flow maps. This is expected to commence through August 2023.

Resource and Competencies

- 7.1.4 Resource within the service remains a risk. This is resource across operational and strategic delivery, but also change/project resource and resource and capabilities dedicated to data and performance. A review of the service's Improvement and Assurance Team is currently underway to better understand what roles and skills are required within the team to provide capacity to improvement projects. This is being reviewed in conjunction with the development of a Programme Management Office (PMO) within Assets and is exploring existing data and change resource across the service. The structures are expected to be defined by October 2023, with any formal team restructures estimated for completion in Spring 2024.
- 7.1.5 In addition to change resource competencies, Building Safety continue to review and develop a framework and skills gap analysis in relation to competencies and responsibilities required for different roles involved in delivering works and inspections. This is expected to conclude in October 2023.

Fire Safety

- 7.1.6 As noted above, the Fire Safety Resident Engagement Team have completed a series of Person-Centred Fire Risk Assessments (PCFRAs) and are now progressing on to Personal Emergency Evacuation Plans (PEEPs). These will focus initially on residents in high-rise buildings, followed by Retirement Living Schemes, 6-storey blocks and low-rise buildings. Timescales for completion of these is currently being scoped. Building and fire safety in relation to leaseholders is currently being scoped within a new project. Other actions identified within fire safety are within scope of the fire Management Plans.

8. Contact officers

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9. Background Papers and History of Decisions

9.1 The final report of the Ad Hoc Scrutiny Panel – Housing Stock Health and Safety Compliance was presented to Cabinet on Wednesday 21 December 2022.

The report can be found [here](#).

9.2 In addition, Cabinet was also presented with a full report, detailing the background, context, recommendations and actions.

This can be found [here](#).

9.3 Additional further reading and texts to note are:

- The Ministry for Housing, Communities and Local Government (MHCLG) Social Housing White Paper 'The Charter for Social Housing Residents' published on 17 November 2020: [Social Housing White Paper](#)
- The Decent Home Standard is defined by guidance from the Department for Communities and Local Government updated in 2006: [Decent Home - Definition and Guidance](#). The Decent Homes Standard underwent a review and consultation through 2022
- The Consumer Standards, which include The Safety and Quality Standard, are anticipated to be in force from April 2024. At the time of writing, the Consumer Standards are currently out to consultation (closing October 2023). Further information is available [here](#).

10. Appendices

10.1 Appendix 1 - Summary of all identified actions/recommendations and the progress made across these

11. Service Director responsible

Naz Parkar for Homes and Neighbourhoods

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1. Summary

Below is a summary of all identified actions/recommendations and the progress made across these. Next steps or actions due to be completed shortly have also been noted. Where previous audits have been aligned to the Ad Hoc Scrutiny recommendation, this has been noted within the table – including the Robust Management System Review (RMS) and Mazars (MA).

2. Overview of Progress

Please note, a RAG (red, amber, green) rating has been added to the 'Current Position' column. This has been added to show likelihood of the action achieving completion (red – at risk, amber – potential for delay, green – on track).

Ad Hoc Scrutiny Recommendation	Current Position (and RAG)	Progress Updates (Dec 22 – July 23)	Actions Outstanding/Next Steps
<p>1. <i>The acquisition of suitable IT systems should be a top priority to ensure that the data collected is of good quality and can provide the necessary assurance in respect of compliance.</i></p>	<p>In progress</p> <p>RMS - R9 & R10 (91% complete)</p> <p>RMS - R31 (85% complete)</p> <p>(Amber due to the potential of slippage across IT system implementations)</p>	<p>H&N is currently replacing its housing management system with a planned implementation date of December 2023 – February 2024. Upon completion, scoping definition will begin across Assets and Repairs for user requirements for system replacements across both areas. Capital expenditure has been allocated for both systems. This is reliant on additional resource being recruited within the Improvement & Assurance Team (Business Analyst role to be recruited to). Repairs system scoping will begin in October 2022, as part of the planned repairs process redesign. Repairs & Assets systems are planned for implementation within 2-3 years following the implementation of Cx (housing management system).</p>	<p>Repairs replacement IT system user requirements scoping October 2023. This will also incorporate requirements from Assets aligned to repairs.</p> <p>Define options for an IT system dedicated to compliance (RMS actions R9 & R10). C365 currently being explored.</p> <p>Implement asset on/off protocols (RMS action R31). Implement controls to ensure that the status of properties where H&N have management responsibility are regularly checked with the Housing Management System and servicing and inspection programmes fulfil landlord requirements. In particular, the 411 properties from the core list not accounted for in the programmes should be validated.</p>
<p>2. <i>The policies for all six compliance areas should be updated, at the earliest opportunity.</i></p>	<p>In progress</p>	<p>H&N recently commissioned Savills to produce Management Plans for fire, lifts and asbestos, with the H&N Assets Team working through plans for water, gas and electric. The</p>	<p>Progress and completion dates as taken from the Savills Management Plans Project Scope.</p> <p>Fire</p>

RMS – R3 1. Fire Procedures & workflows (90% complete)

Data Validation (Savills) (90% complete)

Fire Safety – reviewing assurance requirements between internal and external suppliers (70% complete)

Management plans will be followed by redesigned processes and procedures, and these will be used to strengthen reporting and assurance to the Council. A project has been initiated to oversee progress, with a dedicated Project Manager. The commission has also incorporated a data validation exercise – reviewing data held across compliance and the accuracy/quality of data.

(RMS R.3.3) Asbestos ‘as is’ process maps have been collated and BSAB have approved the format for policies and procedures across Building Safety. Asbestos and Water are currently being designed in the new format. Plans in place for auditors to meet with front-line engineers to discuss how to complete electrical paperwork.

Quality control processes to be implemented for Lift Management (RMS – R3.2) with sample inspections to be conducted by a third party and quality process maps to be created. Overall assurance and reporting is being reviewed.

Fire Safety Management Plans have identified review standards for reporting and accreditation of internal and external contractors. Overall reporting is being reviewed and competencies are also being reviewed within the competency framework.

Management Plan – Complete
 Gap Analysis – Complete
 Process Redesign – Expected completion October 2023
 Process Launch – Expected completion August 2023
 New Process Embedded – Expected completion November 2023

Lifts

Management Plan – Complete
 Gap Analysis – Complete
 Process Redesign – Expected completion August 2023
 Process Launch – Expected completion August 2023
 New Process Embedded – Expected completion November 2023

Asbestos

Management Plan – Complete
 Gap Analysis – Expected completion September 2023
 Process Redesign – Expected completion October 2023
 Process Launch – Expected completion October 2023
 New Process Embedded – Expected completion January 2024

Water

Management Plan – Expected completion July 2023
 Gap Analysis – Expected completion July 2023
 Process Redesign – Expected completion August 2023
 Process Launch – Expected completion September 2023

			<p>New Process Embedded – Expected completion October 2023.</p> <p>Gas Scoping commenced in July 2023</p> <p>Electrical Scoping commenced in July 2023</p> <p>Data Validation Results from Savills exercise expected imminently (August 2023). To be followed by a data flow mapping exercise supported by Corporate Data & Insight through August 2023 to understand data management and data integrity across all six areas of compliance plus damp, mould and condensation.</p>
<p><i>3. There should be clear delineation between those officers that produce the performance data and the Compliance Team to demonstrate independence and better ensure integrity of data. Consideration should also be given to the addition of sampling of data, by an independent source, to the validation process to add another layer in respect of quality assurance.</i></p>	<p>In progress.</p> <p>Implementation of independent '3 lines of defence' assurance mechanisms (90% complete)</p>	<p>This recommendation also incorporates Mazars action MA1 – Carry out regular reconciliation of communal areas, plus RMS action R11 – cleansing of system information.</p> <p>Internal audit was completed in March 2023 and this issued 'adequate assurance'.</p> <p>Savills have recently been commissioned a data validation exercise which will address most recommendations raised, the results are due shortly. As mentioned above, this will be followed by a 'deep dive' data flow exercise across all 6 areas of Building Safety. Savills have identified properties with communal areas that will require a survey. Further output is due (checks whether reports are present and recorded on the system). A landlord compliance data management plan is also expected from Savills, with data elements then being</p>	<p>Savills Data Validation exercise due to be completed August 2023.</p> <p>Data & Insight data flow mapping exercise due completion September 2023.</p> <p>Staff structures and capabilities in relation to data focused capacity are also being explored within Assets, Building Safety and the Improvement and Assurance Team.</p>

		incorporated into the Management Plans identified above.	
<i>4. The Building Safety Assurance Board should consider using the effective compliance system matrix and should ensure that the policies are regularly reviewed to ensure that they remain fit for purpose.</i>	Completed	Compliance system matrix was presented to BSAB and this was adopted.	Completed.
<i>5. That consideration be given to the need for wider political oversight of the work being undertaken by Housing Advisory Board.</i>	Completed	<p>The H&N governance arrangements have been reviewed by David Tolson Partnerships. The review recommended the establishment of a H&N Improvement Board, with this board including a political constituent to strengthen the political oversight of the service.</p> <p>Board has been established and a Chair recruited. The Board has its first meeting in June 2023, and now has a regular monthly reporting cycle and assurance activities aligned. The Board recently completed a 'strategy away day' in July 2023.</p>	Completed.
<i>6. That progress updates be provided to the Cabinet on a regular basis whilst the current compliance recovery programme is ongoing.</i>	In progress (on-going action).	Progress report provided to Cabinet (this report) in October 2023 (report written in August 2023). Regular progress updates continue to be provided to BSAB and the H&N Improvement Board (monthly) which has councillor representation and feeds into Cabinet.	Ongoing action.
<i>7. Whilst it is recognised that there is a balance to be achieved between the transparency required for</i>	In progress (on-going action).	There is currently an activity ongoing focused on enabling wider Councillor visibility on progress and actions, with suggestions this would be	In progress (ongoing action)

<p><i>scrutiny and the maintenance of confidentiality in certain circumstances, consideration be given to the wider visibility of the work of both the Building Safety Assurance Board and the Housing Advisory Board.</i></p>		<p>more appropriate for Ward Members as opposed to senior leaders in the Groups.</p> <p>Further consideration to be given to how visibility is most appropriately delivered. Options to consider:</p> <p>Existing Cllr Newsletter; Specific periodic briefings on progress, whether reporting to the Cabinet suffices.</p>	
<p><i>8. That consideration be given to whether the Authority currently has sufficient project management and risk management expertise for the scale of the recovery programme and to a more systematic and detailed assessment of risk likelihood.</i></p>	<p>In progress (50% complete)</p> <p>(Amber due to uncertainty within recruitment in current financial climate)</p>	<p>H&N have reviewed the resource across Building Safety in relation to risk, project management and operational/strategic oversight.</p> <p>A risk manager (Assurance Manager) was seconded from the service and this secondment has recently ended. The position is currently out to permanent recruitment with the role expected to be appointed in September/October 2023.</p> <p>A Service Manager for Programme and Performance in Building Safety was successfully recruited and has been in post since 3 April. The first round of recruitment for a General Manager position (Quality and Compliance) was unsuccessful. A second round has been undertaken and an offer made to an internal candidate, pre-appointment checks are now being made.</p> <p>A Project Manager has been recruited within the Improvement and Assurance Team, with this resource primarily focused on the Management Plans and Voids Redesign.</p>	<p>Assurance (risk) Manager recruitment – expected completion October 2023.</p> <p>General Manager recruitment – at pre-employment checks stage.</p> <p>PMO Development – expected completion September 2023, with any recruitment expected in September/October 2023.</p> <p>Improvement & Assurance Team restructure (including project, change and data resource) – expected completion – Spring 2024.</p>

		<p>Further exploration is currently underway to design and implement a PMO within Assets – implementing a project/programme approach to capital delivery plans. This will also include cyclical programmes of work aligned to Building Safety. It is likely that additional recruitment of project-focused roles will be required.</p> <p>The resource required to strengthen data and performance is also being reviewed and will potentially include a restructure of roles already in place within H&N. This is being reviewed in collaboration with the Corporate Data & Insight Team.</p>	
<p><i>9. That the Authority should ensure it remains cognisant of the ongoing risks to work programmes associated with the pressure on supply chains and challenges in recruitment and retention and regularly reviews its priorities accordingly.</i></p>	<p>In progress (on-going action)</p>	<p>This is aligned to RMS Action - Evaluate training, qualifications and accreditations for Competent Persons and establish controls.</p> <p>The H&N Assets and Building Safety teams are regularly reviewing supply chain challenges and adjusting programmes accordingly. They are also developing an approach to engage contractors in a regular forum where pipelines and the council's approach can be shared.</p> <p>The most recent rounds of recruitment have generally yielded higher numbers of applications and suitable applicants. The current recruitment activity will be reviewed to look at success rates and quality of applicants.</p> <p>Officers are aware of the pressures on supply chains and are monitoring these on a project-by-project basis, as well as across the wider sector. The implementation of a PMO and governance structure for capital projects will provide oversight of the pipeline of procurement and</p>	<p>Ongoing</p> <p>The Capital Programme Board will commence meeting in September 2023. The Board will continually review the procurement strategy to ensure it is fit for purpose, as pipelines and scheme details are developed.</p>

		<p>delivery activity and provide strategic management of this. A procurement strategy is being developed and the Capital Programme Board will have representation from Procurement, Finance and Risk to ensure that delivery of this can be achieved.</p>	
<p>10. <i>Mandatory training in respect of implementing and maintaining a robust compliance regime and the responsibilities arising from this, for all Cabinet Members, other Councillors, and existing and new members of staff within the relevant disciplines, refreshed at regular intervals. Appropriate training for members of the Tenants Advisory & Grants Panel and the Housing Advisory Board.</i></p>	<p>In progress (50% complete)</p>	<p>New and existing staff are required to undertake a range of compulsory building safety and health and safety compliance training dependant on their job role. Training is delivered to statutory requirements and at recommended intervals.</p> <p>A wider review of competencies required across the whole of Homes and Neighbourhoods to deliver the building safety agenda and ensure compliance has started and is looking first at fire safety requirements. The Savills' training video has been uploaded to MyLearning and Councillors are encouraged to view this.</p> <p>An overarching skills and competencies framework has been developed to manage activity across three levels (strategic, operational and delivery). Once agreed, the framework will be used to develop assessments for each role in the building safety management chain. All roles have been assigned a set of overarching requirements for specific competencies required.</p>	<p>Skills and competencies framework and organisational structure of roles and responsibilities is expected to be reviewed in August 2023 by the Head of Service, Service Managers and General Managers. This will be followed by a skills gap analysis.</p> <p>Expected completion – October 2023.</p> <p>Mazars Recommendation – MA2 – Central filing system to be developed for all certifications. This is still required and awaiting completion by the Learning & Organisational Development Team.</p>
<p>11. <i>The importance of the pivotal role of Councillors within their communities should be recognised and stronger communication links established to ensure that they are aware of any</i></p>	<p>In progress (on-going action).</p>	<p>H&N recognises the role that ward councillors play in both representing their communities and the council's services of which H&N is a part. Wherever major building safety projects or initiatives are planned H&N will engage with councillors as key community stakeholder and representatives of the Council to ensure a</p>	<p>In progress (on-going).</p>

<p><i>issues in their ward, in particular any works proposed, scheduled or ongoing to any Council-owned social housing. Consideration should also be given to the introduction of pre-commencement briefings, for significant projects of work, involving ward councillors, tenants, contractors and housing officers.</i></p>		<p>constructive and active communication is established in a timely manner.</p> <p>Ward Councillors continue to receive copies of the newsletters distributed to all residents living in high rise buildings.</p>	
<p><i>12.Data in respect of no access properties should be fed into the reporting structure to ensure visibility. A weekly report focusing on overdue cases and how long they have been outstanding will aid in workload management.</i></p>	<p>Action complete. Monitoring in line with recommendation is on-going action</p>	<p>A fully detailed report on no-access properties across all building safety compliance workstreams is now part of the BSAB composite report, this was put into place from April 2023. Further work is required to ensure consistency of reporting across each of the big 6 areas.</p> <p>No-access information for gas and electrical inspections is now provided as an Appendix to the BSAB report. No-access information for fire safety delivery and asbestos removals is being reviewed and reformatted for inclusion.</p>	<p>Monitoring in line with recommendation continues as an ongoing activity.</p>
<p><i>13.Independent audit/assessment should be undertaken to confirm completion of the Mazars and RMS recommendations, and an independent external audit of the compliance framework should be programmed at a regular frequency to ensure that</i></p>	<p>In progress</p> <p>Recommendations from Mazars and RMS (79% completed)</p>	<p>79% of the recommendations made by RMS and Mazars are complete. As previously mentioned, an internal audit into the data validation and compliance reporting framework identified in the RMS consultant's report was completed and 'adequate assurance' provided. Additionally, a data validation has recently been completed by external consultants Savills, with results expected shortly.</p> <p>Many of the outstanding RMS/Mazars actions have also now been incorporated into the Ad</p>	<p>In progress.</p>

<p><i>compliance levels remain high and that current best practice is being followed.</i></p>		<p>Hoc Scrutiny action plan to ensure these remain visible and are included within activities.</p>	
<p><i>14. That a 'Service Level Agreement' be established with the Corporate Landlord and Property Team to ensure clarity on roles and responsibilities and to ensure compliance with the relevant health and safety guidance in respect of lifts.</i></p>	<p>In progress (50% complete)</p>	<p>The service is working with colleagues in Corporate Landlord service and has agreed a set of Service Standards for the delivery of passenger lift servicing and repair.</p> <p>A workshop was completed between H&N and Corporate Landlord on 30 June to review contracts and SLAs and further workshops are taking place regularly. As part of this work, the responsibilities for contract ownership and management are being reviewed and separated out between H&N and Corporate Landlord.</p> <p>The SLAs/KPIs are being tailored to align with the new Management Plans for fire, lifts and asbestos. New SLAs/KPIs will be reported on during the next reporting cycle.</p>	<p>In progress.</p> <p>SLAs/KPIs have now been completed in relation to fire, lifts and asbestos and are due to be reported on in the next reporting cycle.</p> <p>Remaining SLAs/KPIs in relation to water, gas and electric will be incorporated in the Management Plans project.</p> <p>Completion expected – December 2023.</p>
<p><i>15. That the effective communication and engagement with tenants be maintained throughout the ongoing programmes of work.</i></p>	<p>In progress (on-going action).</p>	<p>Communication with tenants is crucial to the effective delivery of our compliance programme along with our wider housing management and maintenance services. A dedicated tenant engagement team has been formed to support our fire remediation programme supported by the wider tenant engagement team.</p> <p>The Fire Safety Resident Engagement Team regularly re-engage with tenants living in blocks (door knocking, leaflet drops and short survey). The aim of this work is to reaffirm residents' understanding of the importance of fire safety doors and their role in enabling the council to remain compliant (along with the opportunity to re-assess the impact of the cost of living,</p>	<p>In progress (ongoing action).</p>

		<p>support available etc). There are currently 17 Fire Safety Champions in place. Champions are residents living in high-risk residential buildings and support staff engagement and reinforce important messages about building safety to all residents. Fire Safety Champions also have a key role in identifying and raising issues of concern to the council to be dealt with.</p>	
<p>16. That updates in respect of the information set out below be submitted for scrutiny by an appropriate governance body</p> <p>i. The amended policies, including the full range of Key Performance Indicators and underlying procedural documents at the earliest opportunity.</p> <p>ii The implementation plan and timescales for the installation of smoke and carbon detectors in all properties, to include confirmation that the Regulator has been/will be informed if the Authority will not be compliant by the time the regulations come into force on 1st October 2022.</p> <p>iii The detailed programme of works to the low rise buildings.</p>	<p>In progress</p>	<p>(i) Updates on the development and implementation of amended plans and policies, supporting processes and KPI performance are reported regularly to the Building Safety Assurance Board, that provides officer oversight of the compliance related programme including potential risks to their delivery and recommendations for remedial action. If the Board has any concerns in relation to any programme it currently escalates these to both the Corporate Health and Safety Oversight Group and the Homes and Neighbourhoods Improvement Board (HNIB). HNIB is now established and receives regular updates on progress and issues.</p> <p>These arrangements feed into both the Cabinet Assurance Board and the Cabinet itself and add additional layers of oversight and assurance.</p> <p>(ii) The Regulator has been informed of non-compliance and accepts there are challenges with no access properties. The Regulator has been informed on progress on the installation of CO detectors and the full programme will be completed by June 2023, aligning with the Gas Servicing</p>	<p>(ii) Installation of CO detectors is almost completed. At time of writing (4th August), only five are outstanding and these are due to repeated no-access issues. The team are engaging with tenants who are refusing access and plan are in place to install the remaining CO detectors imminently. This work is expected to be completed before the end of August 2023.</p> <p>(iii) Person Centred Fire Risk Assessments (PCFRAs) for vulnerable residents in high-rise blocks are now complete, with the Fire Service actively involved in this activity. The team is now progressing on to Personal Emergency Evacuation Plans (PEEPs). The activity will prioritise high-rise buildings followed by:</p> <ul style="list-style-type: none"> • Residential Living Schemes • Six-storey blocks • Low rise buildings <p>These are also being completed with support from the Fire Service and this collaboration is working well.</p>

regime which allows for future servicing and access route through EPA if required.

- (iii) Packages of known FRA (Fire Risk Assessment) actions for the low-rise blocks are being developed for tender. Tenders are due to be issued in August 2023, with a start on site of April 2024. (RMS recommendation – Undertake a PCFRA for identified vulnerable residents in our high rise blocks to ensure the fire service is fully aware of which residents to prioritise in the event of a rescue).

21 Person Centred Fire Risk Assessments (PCFRAs) were completed during May and June 2023, which included 38 follow up visits. These are predominantly with tenants who hoard and involve on-going relationship building and engagement with tenants through the Fire Safety Engagement Team and Housing Officers. The visits also include support in de-cluttering properties. Housing Officers continue to regularly check in with tenants to ensure any reoccurring concerns are addressed early and to ensure relationships are maintained.

- (iv) There are currently 17 Fire Safety Champions in place. Champions are residents living in high-risk residential buildings and support staff engagement and reinforce important messages about building safety to all residents. Fire Safety Champions also have a key role in identifying and raising issues of concern to the council to be dealt with.

<p>17. That the Authority ensures that a robust procurement strategy is in place for the remaining packages of fire safety works</p>	<p>In progress (50% complete)</p>	<p>Action is also aligned to RMS action – R3.1</p> <p>A procurement strategy has been developed to deal with fire safety remedial works to high-rise, 6-storey, low-rise and RLS blocks. Development of specifications and requirements is ongoing for long term contracts to deal with future actions as they occur. H&N have reviewed the existing contracts register and are working with Procurement to procure works, services and schemes. The strategy will be managed by the Capital Programme Board going forward.</p> <p>Where fire safety works are in relation to leaseholders, the following activities have been identified as priority:</p> <ul style="list-style-type: none"> • Obtaining gas and electrical inspection certificates for leaseholders in high priority blocks. This is an ongoing process. • Amend the leaseholder agreement to ensure it is the responsibility of the leaseholder to provide these annually (gas) and every 5 years (electric). 	<p>The leaseholder agreement has been amended and in use with new leaseholders since March 2023.</p> <p>The development of processes and procedures relating to gaining assurance of leaseholder compliance is part of the Management Plan work and will be completed concurrently with the timescales set out above.</p>
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REPORT TITLE: COMPLAINTS HANDLING IN HOMES AND NEIGHBOURHOODS

Growth & Regeneration Scrutiny Panel	25 th March 2024
Cabinet Member	Cllr Moses Crook, Housing & Highways
Key Decision Eligible for Call In	No Yes
<p>Purpose of Report To inform Growth & Regeneration (G&R) Scrutiny Panel on the position with regards to complaints handling within Homes & Neighbourhoods (HN). Being able to evidence effective complaints handling forms part of the new requirements for social housing landlords, as set out in the Social Housing (Regulation) Act 2023 and the Housing Ombudsman’s Complaints Handling Code. The approach to complaints handling also remains an integral part of HN’s journey towards service excellence and the council’s ambitions to improve overall tenant satisfaction levels.</p>	
<p>Recommendations</p> <ul style="list-style-type: none"> That G&R Scrutiny Panel comment on the contents of the report and provide officers with feedback on areas of concern in relation to complaints handling to enable further action to be taken and improvements made. <p>Reasons for Recommendations</p> <ul style="list-style-type: none"> Feedback from the Scrutiny Panel will support HN’s journey to ensure Kirklees Council is compliant with the new statutory requirements for social housing landlords in relation to complaints handling for tenants, and that progress is being made to improve tenant satisfaction. 	
<p>Resource Implications</p> <ul style="list-style-type: none"> There are no resource implications arising from this report. 	
Date signed off by <u>Strategic Director</u> & name:	David Shepherd
Is it also signed off by the Service Director for Finance?	N/A
Is it also signed off by the Service Director for Legal Governance and Commissioning?	N/A

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes

1 Executive Summary

- 1.1.1 To update G&R Scrutiny Panel on the position with regards to complaints handling within Homes and Neighbourhoods (H&N) on behalf of Kirklees Council, and specifically:
- 1.1.2 The new regulatory framework, as set out in the Social Housing (Regulation) Act 2023 and the Housing Ombudsman's Complaints Handling Code that the council is required to comply with to ensure effective complaints handling.
- 1.1.3 To note progress made to date by HN to self-assess against the updated Housing Ombudsman Complaints Handling Code (CHC) that was published on 8th February 2024 to ensure the council will meet all the requirements by 1st April 2024. To note that the updated Housing Ombudsman CHC will align with the Local Government and Social Care Ombudsman Complaints Handling Code that comes into effect from April 2026. This will support the Council's longer term aim to develop a corporate approach to the management of complaints throughout the authority.
- 1.1.4 Details of HN's complaints handling performance for the year 2023, compared to 2022.
- 1.1.5 Summary of cases referred to the Housing Ombudsman in 2023, including maladministration determinations made against the council, and
- 1.1.6 Summary of learning identified by HN to address the key issues highlighted in relation to complaints handling. This also provides further opportunities to improve the services to customers and increase overall tenant satisfaction.

2 Information required to take a decision

2.1 Regulation

- 2.1.1 All social housing landlords are required to carry out an annual self-assessment against the Housing Ombudsman Complaints Handling Code and publicise this to customers. The first self-assessment was mandatory and was completed in December 2020 (however, Kirklees has continued to undertake annual non-mandatory self-assessments). The Code at this time also included both mandatory requirements along with good practice guidance. In 2022 H&N reviewed its complaints handling procedures to ensure it complied fully with the Housing Ombudsman's Complaints Handling Code. This included the publication of a new complaints handling strategy, a refreshed complaints handling policy including redress and compensation procedures in September 2022. The Policy can be found at <https://www.kirklees.gov.uk/beta/council-housing/pdf/complaints-policy-final.pdf>
- 2.1.2 A further self-assessment was undertaken in June 2023 in response to further updates to the Code (increase in mandatory requirements) and to inform ongoing progress and learning in relation to complaints handling. This was endorsed by the Portfolio Holder for Democracy and Housing in August 2023. Details of this assessment can be found at <https://www.kirklees.gov.uk/beta/council-housing/pdf/complaints-handling-code-self-assessment.pdf>
- 2.1.3 At the end of September 2023, the Housing Ombudsman Service launched a statutory consultation on the proposal to introduce a joint Code with the Local Government and Social Care Ombudsman. The aim is to bring more consistency to the approach to complaint handling across local authorities with responsibility for the management and maintenance of social housing. In anticipation of the new joint Code, a further self-assessment commenced which focused on ensuring the council will meet all the requirements of the new Code.

- 2.1.4 On Thursday 8th February 2024 it was announced that in response to the consultation, and to recognise the different legal powers the organisations hold, two closely aligned Codes for complaint handling – one for council services outside of housing and one for landlords and housing authorities will apply’. Therefore an ‘aligned’ rather a ‘joint’ code will now apply. Whilst the Housing Ombudsman’s Code will apply from April 2024 the Local Government and Social Care Ombudsman Code will have a full launch in April 2026. This means the Council will need to submit its self-assessment annually to the Housing Ombudsman at the same time as their Tenant Satisfaction Measures (TSMs) which will be 30th June 2024 (see para 2.1.8 below). Given the new Code was updated and published on 8th February 2024 work is ongoing to assess where any changes have been made since the consultation closed in November 2023.
- 2.1.5 Under the **Social Housing (Regulation) Act 2023**, the Housing Ombudsman’s Complaint Handling Code will become statutory and there will be a legal duty on the Council, as a social landlord, to full comply with the Code. The Act also increases the powers of, and places a statutory duty on, the Ombudsman to monitor compliance with the Code from 1 April 2024. As a social housing landlord, Kirklees Council can be inspected from this date onwards.
- 2.1.6 Effective complaints handling is included within the Transparency, Influence and Accountability Consumer Standard which states ‘...that as a landlord we must have a clear approach to complaints so that tenants can raise their concerns and when they do, we listen to what we are being told and have effective processes for handling the complaint and act promptly to put things right’. This is one of four **Consumer Standards** that will be effective from April 2024, forming part of the Regulator of Social Housing’s new inspection regime. The Transparency, Influence and Accountability Standard will operate alongside the work of the Housing Ombudsman Service by setting expectations for social housing landlords in relation to how organisations handle complaints and incorporating requirements around transparency to tenants.
- 2.1.7 The Regulator will test the effectiveness of landlords’ complaints handling procedures, primarily through published information that all landlords will be required to produce on annual basis about overall performance in relation to the regulatory standards. These are known as the **Tenant Satisfaction Measures (TSMs)** and are a core set of performance measures against which all providers must publish their performance. Complaints forms part of the ‘Tenant Perception’ measures which will be based on tenants’ view of how the Council is performing.
- 2.1.8 From 1 April 2023 all landlords that own relevant social housing stock were required to calculate and publish all TSMs on an annual basis. The first full year’s TSM data will cover the period April 2023 to March 2024. The Council must submit their return to the Regulator by 30th June 2024 and these will be published in Autumn 2024.

2.2 Performance

- 2.2.1 A complaint is defined as *‘an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents’*.
- 2.2.2 Stage 1 complaints must be acknowledged and logged within five working days of receipt and a response must be issued within 10 working days of the complaint being logged. Landlords must accept a request by the resident to escalate the complaint to stage 2 unless an exclusion applies. Stage 2 responses must be issued within 20 working days of the complaint being escalated.

2.2.3 The following provides a summary of complaints handling performance for the calendar year 2023 (January to December) with a comparison against 2022 and where applicable a benchmark against data provided by the Housing Quality Network (HQN).

Indicator	Benchmark	2022	2023	Change
Number of formal complaints logged	n/a	484	979	+100%
Number of Stage 1 complaints logged	n/a	429	803	+87%
Number of Stage 2 complaints logged	n/a	55	176	+300%
Complaints upheld at Stage 1	n/a	62.41%	61.86%	-0.55%
Complaints upheld at Stage 2	n/a	53.19%	58.57%	+5.38%
Stage 1 responded to in 10 day timescale	83.9%	65.76%	77.23%	+11.47%
Stage 2 responded to in 20 day timescale	72.%	75%	82.86%	+7.86%
Compliments received	n/a	68	96	+28

The top 3 reasons for complaints during 2023 were:

- 49% Poor information supplied (e.g. no clarity on when works will be carried out).
- 27% Lack of communication (e.g. failure to keep in contact).
- 24% Further work required/repair not worked.

2.2.4 As outlined above, complaints handling forms part of the TSMs ('Tenant Perception' measures) which will be based on tenants' views of how the council is performing. There is also a suite of 'Management Information' measures included in the TSMs which are based on information to be provided directly by the landlord). The TSMs includes two specific questions on the topic of complaints and the following shows the results from the TSM survey undertaken in 2023 where 2636 (or 13%) of households took part:

- a) *Have you made a complaint to Kirklees Council Housing Services in the last 12 months?* – 30% of tenants said they complained
- b) *How satisfied or dissatisfied are you with Kirklees Council Housing Services approach to complaints handling* – 23% said they were satisfied.

The regulatory complaints satisfaction question is considered very broad, it is important to understand these questions in the context of the wider experience of customers when discussing repairs and other issues, as opposed to the much narrower formal complaints procedure. Almost a third of tenants that responded to the survey claim to have made a complaint, which is a very large proportion. Experience with this question has shown that it will include relatively few who used the formal complaints process. Instead, this group should be better understood as those who had some sort of issue or problem over the last 12 months that they believed the Council needed to solve. The results should therefore be viewed as comments on how the Council deals with issues or problems that arise, rather than a measure of how the formal complaint process performs.

- 2.2.5 Whilst, as reported earlier, there was a 100% increase in formal complaints received in 2023 (979) (the majority for Property Services who continue to receive the highest number of complaints). This increase must also be looked at in the context of the large volume of customer interactions last year, in relation to the repairs service (99,784 repairs), and the 72,000 telephone enquiries that were handled by the Customer Support and Information Team in Homes and Neighbourhoods.
- 2.2.6 However, it remains clear the high volumes of complaints are an indicator of the quality a service the tenant believe he/she has received and the key lesson for the Council is to improve the approach to customer service so that it is right first time more often. However it should be noted that more recently, the service has publicised its complaints process and made it more accessible. Low complaint volumes are potentially a sign that individuals are unable to complain and so dissatisfaction may have gone unreported and unresolved.
- 2.2.7 It is also recognised that a number of proactive national campaigns led by the Housing Ombudsman throughout 2023 which included the publishing of Spotlight and Insight Reports e.g. 'Damp and Mould – It's not lifestyle' has contributed to the rise in the number of complaints received across the social housing sector.
- 2.2.8 The vast majority of complaints are received electronically (via the council's website or by email), 50% in 2023 with around 40% by telephone. Other options to report complaints include face to face, in writing, via other social media platforms (Facebook, X (formally Twitter) or Trust Plot or, through a 3rd party e.g. Ward Member.
- 2.2.9 Whilst the reasons outlined in paragraphs 2.2.6 and 2.2.7 above may have contributed to the increase in the number of complaints received, it is accepted that the increase in numbers (and also high percentage of complaints upheld at approximately 60%) is a result of dissatisfaction with services provided. It is essential therefore that continuous learning from complaints and improvements made to services as a result, remains a priority.

2.3 Housing Ombudsman Determinations and Case Management in 2023

- 2.3.1 Landlords are obliged to comply with any orders made in a determination by the Housing Ombudsman where failures have been identified. The target dates for orders to be complied with are set out with the orders in both the investigation report and the determination letter.
- 2.3.2 If the Housing Ombudsman does not receive evidence of compliance with the determination, this can lead to a **Complaint Handling Failure Order (CHFO)** for non-compliance. If there is continued non-compliance with orders, the Housing Ombudsman can report this to a landlord's board or scrutiny panel, make a referral to the Regulator, publish a special report on the non-compliance on their website and order a landlord to publish details of its non-compliance. To date, no CHFO's have been made against Kirklees Council.
- 2.3.3 However, during 2023 the Housing Ombudsman made 3 **maladministration** determinations against the council where services or officers had failed to do something, did something that should not have happened or, unreasonably delayed dealing with the matter. No severe maladministration findings have been made against Kirklees Council. Any severe maladministration is published by the Housing Ombudsman. There is no mandatory requirement at this time for landlords to publish details of any maladministration cases. A summary of the basis for the maladministration cases against the council is as follows:

- Case 1
How Kirklees responded to a tenant's reports of anti-social behaviour (ASB) and disrepair to their home. The council was ordered to pay compensation of £650, to review the resident's reports of ASB and set out our position (follow up actions following the review) in writing. This was actioned and completed.
- Case 2
How Kirklees handled reports of leaks from the resident's shower and service failure in respect of the council's poor handling of the associated complaint. The council was ordered to pay the resident a total amount of £425 in compensation (£350 for the delays in completing repairs to the shower and £75 for poor complaint handling). This was actioned and completed.
- Case 3
The actions of a contractor employed by Kirklees caused distress to a tenant when they carried out a property inspection. The council was ordered to pay the resident £250 in compensation in recognition of the distress caused. The resident refused the level of compensation offered.

2.3.4 During 2023, the Housing Ombudsman also requested detailed information or evidence in relation to a further 5 cases to determine whether a formal investigation was warranted. These related to complaints regarding:

- ASB/Harassment.
- Property condition at sign up, damp/mould and poor communication.
- Property condition at sign up, damp/mould, handling of repairs, poor complaints handling and the level of compensation offered.
- Damp and mould.
- Handling of reports of gas leaking from a boiler.

Following information provided by the council to the Housing Ombudsman, it was determined that 4 of the 5 cases would not be investigated further (no case to answer by the council).

2.3.5 In late 2023 the Housing Ombudsman introduced an on-line portal for case handling of complaints. As at the end of December 2023, in addition to the 5 cases referred to above, a further 18 cases were logged on the portal. These cases may still be considered by the Housing Ombudsman. Relevant managers are notified, where possible, of cases logged to enable preparatory work to take place, where appropriate, should the Ombudsman determine a formal investigation is necessary. In summary the main themes are:

- 7 cases Leaks, Damp and Mould.
- 4 cases Harassment, ASB.
- 1 case Repairs
- 1 case Staff Conduct
- 1 case Parking
- 1 case Costs Incurred
- 3 cases No Description.

2.4 Continuous Learning and Improvement

- 2.4.1 The Housing Ombudsman encourages landlords to use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery. Effective and positive complaint handling also provides a valuable insight into the services provided by the council as a landlord and how we are perceived and received by tenants. The lessons learned from a complaint or complaints can improve the quality and focus of services provided to tenants.
- 2.4.2 The renewed Kirklees Council's Complaints Strategy, produced by the Housing Quality Network (HQN) on behalf of HN, has been in place for almost 18 months. As this report outlines HN have seen a significant increase in the number of complaints received in 2023, 60% of which have been upheld. A high number of upheld cases is a clear indication that further service and behaviour changes are to improve tenant satisfaction and drive up service standards.
- 2.4.3 As outlined in paragraphs 2.1.4 and 2.1.5 above, a revised Complaint Handling Code is to be introduced from April 2024. A self-assessment commenced in November 2023 focused on ensuring the council will meet all the requirements of the new Code. This has highlighted areas where the Council remains compliant but also where more work is needed to meet all the requirements. The following provides a summary of learning identified and progress on service improvements to date:
- 2.4.4 Standards of Service - A fundamental lesson to learn is that the level and standard of service needs to improve from the way we deal with repairs to how we respond to ASB so not as many complaints are generated in the first place.

Since the introduction of the Complaints Policy in September 2022 the focus has been on improving the structure of complaints handling, making sure residents are more aware of and have easier access to make a complaint. Progress across the service can be demonstrated by the significant increase in the level of complaints received as a result of the introduction of the policy.

There is a requirement now to realign the priority focus from tackling 'volumes' of complaints, meeting timescales to 'respond' and addressing the 'outcomes' of complaints, to concentrate further on the service's efforts to reduce repeat types of complaints that are being upheld by addressing the underlying causes. This will enable the council to better respond to complaints and channel the learning to improve services to tenants.

- 2.4.5 Communication - it is essential that investigating managers communicate directly with the complainant during the investigation.
- 2.4.6 Clear timescales - need to be provided in relation to actions and remedies to resolve complaints and prevent escalation to stage 2 or the Housing Ombudsman.
- 2.4.7 Record keeping - the importance of keeping detailed records of how and when we communicate, what we have done in terms of actions and importantly that these are stored in a place that is accessible to everyone.

In response to the three areas identified above, communications have been sent to investigating managers to re-iterate the requirements of good complaint handling. Audits of complaint responses are also now undertaken to identify any gaps or where improvements are required. In addition, the Customer Experience Team is meeting with service leads to feedback on their complaint's performance against the code and offer support, guidance and training where required.

2.4.8 Website - improvements to the information provided to customers in relation to complaints on the website are needed and these are scheduled to take place in February 2024 to provide more information on how to make a complaint and the role of the Housing Ombudsman, further improvements will be made in April to reflect the requirements of the new code when it is introduced.

2.4.9 Data and Insight - An area to improve relates to the use of data gathered as part of complaints handling to identify underlying thematic causes and trends and develop solutions at the earliest opportunity. As outlined above the main reasons for complaints remains consistent year on year and are described includes 'poor information supplied' or 'lack of communication.' Our current complaints handling dashboard does not record by theme e.g. ASB, repairs etc., requiring manual reporting to better understand the areas where most complaints are made. For the 3 month period ending December 2023 the main types of complaint were in relation to:

- General Repairs
- Roofs
- Gutters, Facias and Soffits
- Heating, Hot Water, Radiators and Gas Servicing
- ASB
- Damp, Mould and Condensation

As a result, HN's Customer Experience Team (CET) are reviewing the Complaints Handling Dashboard to better capture themes and trends arising from complaints and these changes will go live in April 2024. This will enable us to categorise, identify and respond to complaints in terms of learning and improvements in service delivery, much earlier and, until such time as the new housing management system (CX) is launched.

2.4.10 Training - Formal complaints training was provided in 2022 following the introduction of the policy in 2022. However new training will be required to focus on the new Joint Code's statutory requirements and as a result changes to the Complaints Handling Policy.

This will include the new updated definition of a complaint, Complaint Stages (Section 6 of the self-assessment) and strengthening our existing complaint handling to provide more emphasis to how we learn from complaints.

The aim is to deliver new training to all Managers and staff from Quarter 1 onwards in 2024/2025.

2.4.11 Corporate Approach to Complaints Handling - The updated Housing Ombudsman Complaints Handling Code (CHC) becomes statutory from 1st April 2024. As outlined in this report an aligned Housing Ombudsman Service and Local Government and Social Care Ombudsman Code will be introduced from April 2026 to bring more consistency to the approach to complaint handling across local authorities with responsibility for the management and maintenance of social housing. Taking this into account, options to integrate complaints handling corporately across the Council will be considered which take account of the requirements of the Social Housing Regulation Act 2023.

2.5 Tenant Satisfaction

2.5.1 As outlined in paragraphs 2.1.7, 2.1.8 and 2.2.2 above Tenant Satisfaction Measures (TSMs) and are a core set of performance measures against which all providers must publish their performance. Complaints forms part of the 'Tenant Perception' measures which will be based on tenants' view of how the Council is performing.

As part of the 2023 survey, when asked 'how satisfied or dissatisfied are you with Kirklees Council Housing Services approach to complaints handling – 23% of customers said they were satisfied.

2.5.2 To complement the annual survey, a text survey is in place to gather feedback and satisfaction information from customers when a complaint is resolved. Response rates remain consistently low at only 25%. The table below provides the overall satisfaction % in relation to the 5 questions asked:

- 50.4% How easy were H&N to deal with?
- 54.1% How satisfied are you with the information and advice you received about your complaint?
- 73.7% How satisfied were you with the attitude of staff dealing with your complaint?
- 32.3% Overall how satisfied are you with the final outcome of your complaint?
- 42.1% Overall how satisfied are you with the experience of H&N complaints service?

2.5.3 Taking the above into account, work is ongoing to review HN's approach to collecting satisfaction information from customers to improve the level of and quality of feedback received from customers. This will include the use of telephone surveys to gather feedback and will be implemented from April 2024. This will help inform teams' learning and improvement around complaints handling moving forwards and improve satisfaction against this measure.

3 Implications for the Council

3.1 Working with People

3.1.1 The findings from the Tenant Satisfaction Measures (TSM), other customer surveys and complaints provide a reliable source of learning to identify issues and introduce positive changes in service delivery. Learning from the 'tenant's voice' is a primary route through which the council can evidence listening and acting on the views of tenants and leaseholders.

3.2 Working with Partners

3.2.1 HN are responsible for meeting the regulatory requirements of the Joint Complaints Handling Code, and the Regulator's Consumer Standards, however, this cannot be achieved in isolation. Council tenants receive services from across the council, its partners and contractors e.g. grounds maintenance, community safety etc. The approach to complaints handling incorporates consultation, communication and partnership working across services and partners. Collaborative working with the council's corporate complaints team is also crucial to ensure alignment with the corporate policy and processes, whilst also meeting the regulatory requirements

3.3 Place Based Working

3.3.1 HN recognise the importance of a place-based approach in relation to complaints handling, and will endeavour to consider the needs of customers, their support networks and how they access services when responding to complaints. The complaints handling policy allows for advocates to act on behalf of the customer including Ward Councillors and MPs, and flexibility to ensure the service is accessible to all customers e.g., offering home visits or meetings in suitable locations to meet the needs of our customers. In this context, HN colleagues meet regularly with corporate Councillor/MP Enquiries' teams to ensure consistency in how we deal with all enquiries including complaints received by Cllrs/MP's on behalf of tenants.

3.4 Climate Change and Air Quality

3.4.1 Complaints handling promotes web, telephone and email contact with customers to reduce the need to send letters and other documents in the post, and to reduce travel where appropriate.

3.5 Improving outcomes for children

3.5.1 Children are not generally involved directly in complaints. However, ensuring that the home is well maintained, safe and that tenants and their families feel supported is key to the development and implementation of service improvements.

3.6 Financial Implications

3.6.1 Dissatisfied tenants are more likely to want to complain which has a direct impact on capacity and resources at a time of extreme budget constraints. Complaints Handling is administered by the Customer Experience Team, comprising 5 FTE staff budgeted at £195,995 in 2023/24. Based upon the 979 formal complaints received in 2023, it costs on average £200 to administer each complaint received. If it takes on average of 3 hours for a manager to investigate and respond, the average cost will be in the region of at least £300 to deal with each complaint received, or almost £300,000 per year.

The cost to respond to a Housing Ombudsman 'call for evidence' is estimated to be at least £2,222 per case, dependent upon the complexity. Given the 8 cases referred to in paragraphs 2.3.3 and 2.3.4 above, the cost to respond was in the region of £17,800 which does not include any compensation paid.

3.6.2 The Complaints Handling Policy includes a compensation policy which provides a robust, consistent and transparent framework when considering redress. This ensures that any compensation is fair, appropriate to the situation and protects council resources. In 2023/24 the budget is £18,700 and is forecast to be spent in full by the end of March.

3.7 Legal Implications

3.7.1 Poor complaint handling and low levels of tenant satisfaction is potentially a key indicator that as a social landlord may not be compliant with the Regulator's Consumer Standards and/or the Joint Complaints Handling Code.

3.8 Other (e.g. Risk, Integrated Impact Assessment or Human Resources)

3.8.1 An updated Integrated Impact Assessment (IIA) is to be underway to reflect the requirements contained within the revised joint handling code. Any recommendations arising from the assessment will be incorporated into the revised Policy.

4 Consultation

4.1 No formal consultation has taken place in the development of this report or, changes to the Complaints Handling Policy as a result of the new statutory requirements set out in the Joint Complaints Handling Code. See Item 5 below regarding engagement with Tenants and Leaseholders.

4.2 The self-assessment undertaken to reflect the requirements of the new Joint Handling Code and a revised Complaints Handling Policy will be shared with the relevant governance structures prior to endorsement by the Portfolio Holder for Housing and Highways.

5 Engagement

5.1 Customer Surveys are the primary engagement method used to gather satisfaction data from council tenants and leaseholders to inform satisfaction with complaints handling.

5.2 Tenants and Leaseholders are engaged with on an annual basis, in relation to the council's performance in relation to complaints handling (Annual Report).

5.3 The Tenant Voice Panel receives a quarterly performance report on complaints and, will be updated on the changes proposed to the Complaints Handling Policy, in accordance with the requirements set out in the new Joint Handling Code.

6 Options

6.1 No other options have been considered in the development of this report.

Options considered

6.2 Not applicable

Reasons for recommended option

6.3 Not applicable

7 Next steps and timelines

7.1 The timetable for the consideration of this report is as follows:

H&N SMT	7 th February 2024
G&R SLT	14 th February 2024
ELT	20 th February 2024
Housing PHB	5 th March 2024
Executive Board	11 th March 2024
G&R Scrutiny	25 th March 2024

7.2 The above flightpath for reporting will be followed unless otherwise directed.

8 Contact officers

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9 Background Papers and History of Decisions

9.1 None.

10 Appendices

10.1 None.

11 Service Director responsible

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