

Name of meeting: Ad Hoc Scrutiny (Council Housing Health and Safety Compliance)

Date: 10th November 2021

Title of report: Combined Report on Compliance Review and Regulator Actions (Actions 10 & 16)

Purpose of report:

The following report updates Ad Hoc Scrutiny (Council Housing Health and Safety Compliance) updates on the public report presented on 21st September and provides a progress update on all compliance recommendations resulting from the compliance review and ongoing FRA Actions notified to the Regulator

Recommendations for Ad-Hoc Scrutiny:

- a) Consider the contents of the report and provide feedback on the current arrangements

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not Applicable
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u> ?	No Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Not Applicable
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	Naz Parkar, Service Director Homes and Neighbourhoods
Cabinet member portfolio	Cllr Cathy Scott

Electoral wards affected: ALL

Ward councillors consulted: No

Public:

Has GDPR been considered? Yes

1. Summary

1.0.1 This report updates on progress against the recommendations from the independent review on compliance (RMS consultants) May 2021 and the ongoing programme of FRA work actions to High Rise Blocks notified to the Regulator February 2021

2.0 Report

2.0.1 The compliance review identified 48 recommendations across the following areas:

- Cross Cutting; Governance and Oversight: 7 recommendations
- Property and Assets in Management: 9 recommendations
- Compliance and Performance: 3 recommendations
- Fire Safety: 8 recommendations
- Electrical Safety: 3 recommendations
- Gas Safety: 2 recommendations
- Asbestos Safety: 6 recommendations
- Water Hygiene: 6 recommendations
- Passenger Lift Safety 4 recommendations

2.0.2 In addition to the recommendations from the compliance review we continue to monitor and report on the completion of FRA actions to high rise blocks on a weekly basis.

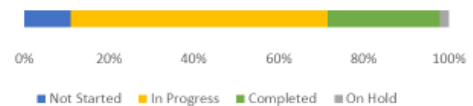
2.0.3 Up to Mid-August 2021 we combined compliance review reporting to the Building Safety Assurance Board (BSAB) to include original review recommendations, actions/sub actions, Regulator FRA actions and historical actions from Mazar compliance audits, this however make it difficult to track progress on the original review and improvement plan. In August BSAB requested that future reports should focus on the original review to be assured on satisfactory progress against original 55 recommendations.

COMPLIANCE PROGRAMME DASHBOARD

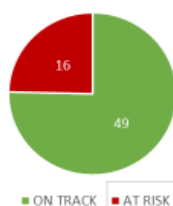
Project Actions	Not Started	In Progress	Complete	On Hold	Total	% Complete
Compliance Review	9	35	18		62	29%
Mazars Actions	1	8	2	2	13	15%
Regulator Actions		12	4		16	25%
All Actions	10	55	24	2	91	26%

Updated: 5/08/21

COMPLIANCE PROGRAMME: OVERALL PROGRESS



PROJECTS ON TARGET



PROJECTS AT RISK

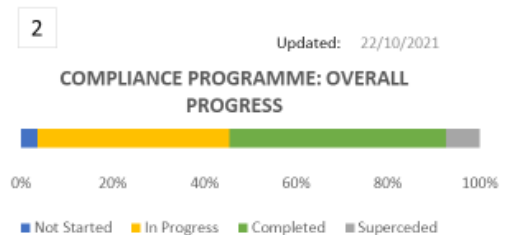
	In Progress	Not Started	Grand Total
► Compliance Review	8	3	11
Asbestos Safety	4		4
Compliance and Performance		1	1
Fire Safety	2	1	3
Management Information / Agreements	1		1
Passenger Lift Safety		1	1
Water Hygiene	1		1
► Mazars Audit Actions	4	1	5
Asbestos Mgmt	1		1
Fire Safety	1	1	2
Lift Safety	2		2
Grand Total	12	4	16

2.0.4 Compliance Review progress (22/10/21)

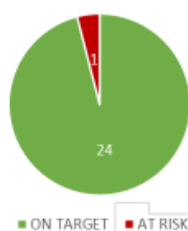
Significant progress is ongoing with 51% completion against the overall project, the overall project remains on programme. A weekly review by the Head of Service, Service Manager for Fire safety, Compliance Manager and our Consultant (Anthony Brown) ensures a continued focus on the completion of recommendations in progress. 1 no recommendation is currently at risk due to a dependency on ongoing software development due to conclude in January `22, however; in the meantime we have completed a manual reconciliation of communal areas against the asset register which highlighted 126 `other` housing assets not assigned; we visited every asset during September and assigned 70 as communal asset, 4 remaining assets are being converted into housing after which point they will be added to the compliance register. Although we cannot currently link the asset register in Universal Housing to the asbestos register; IT colleagues have established a manual monthly report to update stock count and communal areas. Lead officers attended a project review workshop on 11th October to review overall progress and, reflect on outcomes and apply project learning. The workshop identified 11 recommendations which could be completed within 3 to 4 weeks; 7 of those actions are complete with the remaining 4 due for completion by 15th November. 1 further session is planned for early December to undertake further review but focus on completed recommendations with evidence of documented sign off.

1 COMPLIANCE PROGRAMME DASHBOARD

Recommendations	Not Started	In Progress	Complete	Superseded	Total	% Complete
Compliance Review	2	19	21		42	50%
Mazars	0	4	5	4	13	56%
All Actions	2	23	26	4	55	51%



3 PROJECTS ON TARGET



4 PROJECTS AT RISK

	Grand Total
◊ Mazars Audit Actions	1
M.A1) Carry out a regular (i.e. monthly) reconciliation of communal areas as per the Universal Housing system to the asbestos register within AsbestosPro to confirm a survey is recorded.	1
Grand Total	1

2.0.5 FRA Actions notified to the Regulator

Progress against FRA actions are updated and reported weekly, programmes remain on track at 22/10/21. 2 smaller packages of work are currently in procurement due to previous tenders not achieving the requisite number of returns to satisfy Contract and Financial procedure rules:

- Installation of 34no smoke ventilators to communal areas
- 72no compartment breaches in communal areas

Both procurements are due to conclude in mid-November with supplier appointment expected in late November, in both case we do not expect additional delay to overall project completion. 83% of all actions are fire door replacements which are fully procured and making good progress.

- Total work actions 901 (including EWI replacement to BB and HWC)
- Actions complete 124
- Project completion 18/03/22 (subject to uninterrupted access/materials)

Implications for the Council

3.1 Working with People

This is an ongoing major programme for Kirklees Council that provides assurance of compliance and safety to all stakeholders. The views concerns and opinions of residents and wider stakeholders are critical in shaping our approach

We continue to engage with residents to keep them informed of changes in regulation and what this means for their home, we are investing heavily in dedicated resource to maintain strong lines of communication with all residents to keep them informed of ongoing programmes of inspection and remediation as we develop a building safety case for each high-risk block and maintains a golden thread of information across all areas of compliance

3.2 Working with Partners

A multi-agency approach is required for the successful delivery of compliance programmes, relationships internally, and with external partners are key to success. The Council cannot deliver programmes on its own; partners will play a vital part in shaping and delivering successful outcomes

3.3 Place Based Working

Consultation plays a major part in our approach, we have carried major consultation on proposals to undertake major improvements to high rise blocks and in each case adopted the Place Model to capture and shape our decisions, the same approach will be applied to all other blocks in the compliance programme

3.4 Climate Change and Air Quality

Remediation programmes and work activity conforms to the current environmental legislation and Construction, Design and Management Regulations 2015 (CDM). Products and materials are procured using sustainable methods and procurement routes

3.5 Improving outcomes for children

The Council's approved housing strategy focusses on early intervention and prevention of homelessness thus leading to improved outcomes for all households who are at risk of, or experiencing, homelessness, including

households with children, and young people. The compliance review considers the councils responsible approach for tackling the ongoing loss of Council housing through Right to Buy and hence establish one for one replacement to meet increasing affordable housing demand.

3.6 Other (eg Legal/Financial or Human Resources) Consultees and their opinions

Regulatory reform will require ongoing investment to maintain and increase our programme of inspection, this will invariably lead to capital investment required to remediate blocks to ensure they continue to meet the building standards set out in regulatory guidance

The current 30-year Housing Revenue Account (HRA) business plan makes a capital provision to invest in high rise blocks and therefore set aside £21m for remediation. As we continue to commission detailed investigations into the building fabric of all blocks we will develop capital programmes and therefore expect the capital requirement to increase, as we complete remediation programmes we will increase the inspection regime and therefore require further revenue funding to maintain programmes

The recent compliance review has resulted in the formation of a dedicated building safety function with additional resource, capacity and competency. The additional resource has been stress tested in the HRA business plan and is affordable, we are therefore in the process of recruitment

4. Next steps and timelines

Continue to deliver the ongoing improvement plan ensuring there are no breaches in regulation while reporting progress against all recommendations

5. Officer recommendations and reasons

Consider the contents of the report and provide feedback on the current arrangements

6. Cabinet Portfolio Holders Recommendations

Keeping tenants safe is the Council's highest priority, we must ensure we meet the requirements of each regulation and demonstrate absolute compliance at all times. I fully support the approach to meeting our obligations detailed against the regulations and ongoing, inspection, repair and improvement programmes

7. Contact officer

Asad Bhatti: Head of Building Safety (Homes and Neighbourhoods)
Tel: 01484 221000 and ask for Asad Bhatti
Email: asad.bhatti@kirklees.gov.uk

8. Background Papers and History of Decisions

Compliance Review Report January, April 2021
Public Report to Ad-hoc scrutiny 21st September 2021

9. Service Director responsible

Naz Parkar, Service Director Homes and Neighbourhoods