

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

AD HOC SCRUTINY PANEL – RESIDENTIAL HOUSING STOCK, HEALTH AND SAFETY COMPLIANCE

Tuesday 1st February 2022

Present:

Councillor Elizabeth Smaje
Councillor Susan Lee-Richards
Councillor Amanda Pinnock
Councillor Anthony Smith

Co-optees Linda Summers

In attendance: Kevin McAllister, Independent Advisor to the Panel

Observers: Councillor Harpreet Uppal

35 Membership of the Panel

All Members of the Panel were in attendance.

36 Minutes of the Previous Meeting

The minutes of the meeting of the Panel held on 22nd December 2021 were agreed as a correct record.

Linda explained that, during a visit to a meeting of the Tenants Grants and Advisory Panel the previous week, the members had asked how their views would be captured and then used to shape and influence the Panel's report. It was agreed that the minutes of the meeting of the Ad Hoc Panel held on 22nd December be shared with them and noted that further feedback would be provided once the final report had been produced.

37 Interests

No interests were declared.

38 Admission of the Public

All items were considered in public.

39 Deputations and Petitions

No deputations or petitions were received.

40 Public Question Time

No public questions were received.

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41 Fire Safety Management and Asbestos Policies Review

The Panel received a report in respect of the updates made to the Fire Safety Management Policy and the Asbestos Management Policy to ensure alignment with Council policy and terminology, and to reflect legal and regulatory requirements.

The policies had been approved by the Building Safety Advisory Board (BSAB) in December 2021 and would be underpinned by detailed management plans.

Naz Parkar - Service Director, Homes and Neighbourhoods and Eric Hughes – Head of Assurance and Transformation attended to present the report and respond to Members' questions.

Questions, comments and responses were put forward as follows:

Fire Safety Policy:

- It was clarified that the policy was aimed at staff and included anyone who was connected with carrying out fire safety works on behalf of the Council, such as contractors.
- The links to, and work with, tenants were addressed by the references to communication in the policy and the commitment to having a communication strategy.
- The policy sought to provide assurance to a range of people, including tenants.
- The policies were of good quality but, being very high level, it was considered that it would be helpful for the Panel to see the underlying detailed procedural documents, in order to provide assurance and a clear line of sight in respect of implementation. It would be expected that the management plans would cover a suite of key performance measures and include matters such as delivery to the correct quality standard, by staff with the relevant qualifications and experience, frequency of inspections, validation of works and maintenance of records. It was explained that work was ongoing to develop these detailed management plans and it was anticipated that they would be submitted to the BSAB within the next couple of months.
- It was noted that performance information was being reported to the Panel on a regular basis to demonstrate the level and extent of compliance.
- When a contract was procured, staff would have a responsibility to ensure that contractors were aware of the policies and that compliance was demonstrated within the tender return. Compliance throughout the term of a contract would be an element of the contract monitoring. This could be clarified within the policy, although it was considered that the wording within the scope captured all parties with a duty of care in the delivery of these services.
- All work would have an assigned Project Manager, and a Clerk of Works with responsibility for validation and sign-off. This would ensure the same quality assurance would be maintained in the future and work undertaken previously would not be compromised.
- It was suggested that the responsibility of the Legal Department, in terms of responding expeditiously to issues with gaining access to properties, be added to paragraph 4 of the policy.
- It was acknowledged that further clarity would be helpful in respect of the roles and responsibilities of the BSAB and Housing Advisory Board (HAB). The HAB needed to have oversight of policy as well as performance so that they were able

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to assist Cabinet in discharging its function, and an amendment would be made to paragraph 4.2 in respect of overall governance responsibility.

Asbestos Policy:

- It was noted that a number of the points raised in respect of the Fire Safety Policy would also apply to this policy.
- In response to a request for clarity in respect of the provision of information for tenants and other relevant persons (including Ward Councillors) examples were given of the circumstances in which tenants would be informed. Assurance was given that tenant reports of asbestos disturbance would be responded to as a matter of urgency.
- The need to align the policies and ensure that they were consistent with each other was acknowledged.

Further to the debate, the following revisions or amendments to the policies were recommended:

- Paragraph 4.5 of the Fire Management Policy to read 'management of *fire* safety'.
- Further clarity in respect of contractors/sub-contractors within the 'Policy Scope'.
- Responsibility of the Legal Department added into 'Roles and Responsibilities'.
- Further clarity in respect of the roles and responsibilities of the BSAB and HAB and overall governance responsibility.
- Alignment of all policies to ensure that they are consistent, including:
 - Reference to ensuring contractors and suppliers achieve and adhere to necessary standards not replicated in Asbestos Policy.
 - Reference to availability of adequate resources not replicated in Asbestos Policy.
 - Reference to compliance with all statutory provisions not replicated in Fire Policy.

and it was requested that:

The underlying detailed management plans be shared with the Panel, once available, to provide assurance in respect of implementation.