

Name of meeting: Cabinet

Date: 26 September 2023

Title of report: Tenant Safety in Council Housing

Purpose of report: To update on the situation with tenant safety in council housing

Key Decision - Is it likely to result in spending or saving £500k or more, or to have a significant effect on two or more electoral wards? Decisions having a particularly significant effect on a single ward may also be treated as if they were key decisions.	Not Applicable If yes give the reason why
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u>	Key Decision – No Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Not Applicable If no give the reason why not
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?	David Shepherd, Strategic Director Growth and Regeneration 26 July 2023 Isabel Brittain, Service Director Finance 14 September 2023 Julie Muscroft, Director Legal, Governance and Commissioning 11 September 2023
Cabinet member http://www.kirklees.gov.uk/you-kmc/kmc-howcouncilworks/cabinet/cabinet.asp	Councillor Masood Ahmed, Housing and Democracy

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

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

1. Summary

- 1.1 Tenant Safety is a Portfolio Holder and service priority. This report provides an update and information on activity relating to the 'big 6' areas of building safety, fire, asbestos, water, gas, electrical, lifts, particularly fire where there has been, and continues to be, considerable focus.
- 1.2 In June 2021 the council referred itself to the Regulator of Social Housing in relation to fire safety matters at high-rise blocks. Since then, officers have focused on delivering programmes of fire safety works, inspections and re-inspections and developing longer term refurbishment and regeneration plans for these buildings. Regular contact is maintained with the Regulator and updates are provided on progress and issues.
- 1.3 Under the Building Safety Act higher-risk buildings are classified as those of 18m or 7 storeys or more. The council has four such buildings, Harold Wilson Court, Buxton House, Holme Park Court and Bishops Court. Higher risk buildings are subject to greater requirements under the Act at present. It is expected that the provisions under the Act for higher-risk buildings will eventually be extended to other multi-storey buildings and the approach to carrying out remedial works and implementing systems for safety and control is being applied now to accommodate the possibility of this change.
- 1.4 High-rise buildings have been a priority for larger scale remedial works, and the plans for remedial schemes to 6-storey blocks, Retirement Living Schemes and low-rise blocks are now being developed. These plans encompass structural, mechanical and electrical, and condition issues in addition to fire safety.

2. Information required to take a decision

2.1 Resident Involvement

- 2.1.1 The Tenant Involvement and Empowerment Standard sits within the Regulator of Social Housing's Consumer Standards and plays a key part in the Building Safety Act 2022 and the Social Housing (Regulation) Act 2023. These regulations set out requirements for engagement with residents on matters relating to fire and wider building safety matters.
- 2.1.2 The Fire Safety Resident Engagement Team (FSRE) were recruited to deliver the Fire Safety Engagement Framework. This dedicated team works closely with Building Safety and Neighbourhood teams to engage with tenants and leaseholders. The team takes a central role in the development, co-ordination and delivery of fire safety actions including communication with residents living in high-risk residential buildings.
- 2.1.3 The team monitor and report against three performance indicators and one key performance indicator. Data is captured through planned activities and day to day engagement with tenants. The table below describes quarter 4 performance for 2022/23.

Measure	Performance (Qtr 4)
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Satisfaction with ability to raise concern on fire safety	89%
Tenants understanding of their fire safety responsibilities	100%
Tenant knowledge of fire safety improved following engagement	100%
Tenants satisfied they understand how the Council is keeping them safe in their home in relation to fire safety	100% (KPI)

The Tenant Satisfaction Measures set out in the Consumer Standards include a question relating to tenant satisfaction with the safety of their home and in future this will be monitored and reported against instead of the current KPI.

2.1.4 Homes and Neighbourhoods Fire Safety Resident Engagement Framework is an integral part of the Fire Safety Management Plan. The Framework commits the council to:

- Have a range of methods in place to allow tenants and residents to get involved in a way and at a level that suits them.
- Encourage and develop a wider range of innovative, less formal approaches to encourage more people to play their part in fire safety.
- Have arrangements in place to consult and involve tenants and residents who are not involved in formally recognised groups, and
- Make a special effort to reach those tenants and residents who do not normally get involved

2.1.5 The approach to engaging and communicating with residents around fire safety supports the recommendations in the Building Safety Engagement Best Practice Report, released in March 2021. This independent report commissioned by Government included recommendations for good practice when engaging with residents on fire and building safety issues. The four recommendations in the report are underpinned by the following principles:

- Building trust with residents
- Providing a clear explanation of why access is needed
- Using effective communication methods
- Delivering the service well
- Understanding and mitigating any factors impacting on the resident
- Using a personalised approach

2.1.7 The approach to delivering the Fire Safety Engagement Framework is also aligned with the objectives set out in the H&N 'Get Involved' Tenant Involvement Strategy. This strategy is being reviewed but currently states that the council will:

- Listen to what tenants are telling us
- Put in place the right support for tenants so they feel empowered to engage effectively
- Ensure all tenants have a strong voice and can influence key decisions

- Make sure engagement is planned, monitored and measurable with clear outcomes
- Use a wide and flexible range of involvement tools and opportunities to promote fairness and inclusion, recognising that one size does not fit all
- Create opportunities for projects to be delivered that utilise the strengths of our tenants and enable individuals to do more for themselves and each other
- Give clear feedback on how the council has acted upon what tenants tell them and what difference their contribution has made

2.1.8 The work also complements key principles that inform H&N's journey towards service excellence namely that, 'the experience of the tenant come first' and 'contact with tenants is always an opportunity for feedback'.

2.1.9 The FSRE Team carry out Person Centred Fire Risk assessments (PCFRAs) to help identify residents who are at higher risk, from fire in their home or their ability to evacuate in the event of fire. This could be related to how they use their home or their ability to respond to a fire alarm. Where a PCFRA is carried out and specific needs are identified, actions are put in place to eliminate, reduce and manage risks. This ranges from providing specialist evacuation alert equipment to working over a longer period with residents to declutter and remove items from homes where hoarding is an issue. Many tenants who the team work with on hoarding, enter into voluntary agreements to allow regular inspections of their homes to help reduce the likelihood of a build-up of possessions becoming an issue again.

2.1.10 The Tenant Advisory and Grants Panel ensures the voice of tenants and leaseholders is heard and influences the development and delivery of council housing services. The Panel monitors how well the council delivers on the Consumer Standards for Social Housing, receives regular updates and reports on fire and building safety and contribute to and advise on the development of policy and procedure.

2.2 High-rise buildings – fire safety remedial works and risk management

2.2.1 The delivery of remedial works at high-rise buildings is well progressed and there are a number of risk management and mitigation measures in place. Berry Brow flats are due for demolition and site redevelopment and Buxton House is due to be remodelled and refurbished in future years. Refurbishment works to address fire safety issues are due to start at Harold Wilson Court at the end of July.

2.2.2 At Berry Brow flats (Bishops Court and Holme Park Court) the following remedial works are in progress or have been completed:

- Fire rated flat entrance doors are fully installed at Holme Park Court and there are 2 outstanding architrave installations in Holme Park Court due to a lack of access.
- Part 6 fire detection systems have been installed to most flats, there are 2 installations outstanding at Holme Park Court and 5 in Bishops Court due to a lack of access.

- Communal fire door installation is virtually complete, with 4 doors in Bishops Court requiring renewal due to damage caused prior to handover. There are 6 doors awaiting handover where additional information is required from manufacturers to enable sign-off.
- Adaptations have been carried out to the Part 1 (communal) fire alarm system in both buildings.
- 1 Automatic Opening Vent (AOV) has been installed at Holme Park Court. There are 15 AOVs to install at Holme Park Court and 16 at Bishops Court. There has been a serious delay with this work because of a contractual negotiation around a payment claim. That issue was resolved in March and at that time the contractor put forward a programme for completion in a 9-week period. Work has not recommenced on site because of sub-contractor issues which the contractor has not yet resolved. Council officers have provided information and support to try and resolve this matter, but it is ultimately the responsibility of the contractor. The contractor has now indicated that they expect a start on site date in December 2023. Officers are speaking with the contractor on a weekly basis to push for this date to be brought forward.

2.2.3 The procurement process for a design team for Berry Brow flats is complete with Frank Shaw Associates the preferred bidder, their appointment has been agreed by the Strategic Director of Growth and Regeneration under delegated powers. The design team are now developing options for the site with a view to submitting a detailed planning application by the end of 2023.

2.2.4 Decanting of Berry Brow is ongoing and there are currently 54 properties of 98 that are void in Bishops Court and 32 of 96 are void in Holme Park Court. Residents with Person Centred Fire Risk Assessments (PCFRAs) have been prioritised as part of the decanting plan with 1 remaining resident in Bishops Court with a PCFRA in place, this tenant has a current offer of an alternate property and is due to move in the near future. Berry Brow provides temporary accommodation for Housing Solutions and vacant flats in the building will be used to provide short term support for increased pressure in this area. In 2023, up to twenty units will be provided for temporary accommodation and following a review of the success of this approach, up to a further 40 could be brought into use in 2024. The provision of temporary accommodation runs concurrently with the decant programme. Measures are in place to manage empty flats with letterboxes closed off, water systems decommissioned and the waking watch providing additional checks on empty properties.

2.2.5 At Buxton House the following remedial works have been completed:

- Fire rated flat entrance doors have been installed to all but one flat, where the leaseholder has not responded to contact.
- Communal fire door installation is complete.
- 2 AOVs require installation and the units have been designed and are on order.
- Part 6 alarm systems have been installed in all but one flat, where the leaseholder has not responded to contact.

- 2.2.6 Concept design proposals (RIBA Stage 2) for Buxton House are almost complete. Draft designs for consultation will be presented to the Council Housing Supply Board on 12 July, following which tenant and stakeholder consultation will take place through July and August. The current programme aims to submit a detailed planning application in September 2023. The process of finding suitable alternative accommodation for residents has commenced.
- 2.2.7 At Harold Wilson Court the following remedial works are in progress or have been completed:
- Fire rated flat entrances doors have been installed to all flats.
 - Part 6 fire detection is fully in place.
 - Communal fire door installation is complete.
- 2.2.8 The wider fire safety works at Harold Wilson Court including the replacement of the external wall insulation (EWI) system, installation of sprinklers, new fire alarm and evacuation alert systems started on site at the end of July 2023 and are programmed to take 65 weeks to complete. Resident engagement has been ongoing for the last few months and will continue throughout the works. Decant and respite properties have been put in place to minimise the impact of the works on residents and to enable works to be undertaken efficiently and appropriately.
- 2.2.9 In all cases where fire safety remedial works cannot be undertaken because of access to homes, there is an escalation process in place. This ultimately results in a request to Public Protection for action to be taken under the Environmental Protection Act and a warrant sought for entry.
- 2.2.10 The following risk management measures are in place in all high-rise blocks:
- 24-hour CCTV monitoring and waking watches (2 officers, 12-hour shifts in each building) are in place.
 - All fire safety repairs are assigned as Emergencies with a response time of 3 hours.
 - Emergency lighting.
 - Fire alarm and emergency lighting tests are carried out weekly.
 - Trade button access has been removed from high rise blocks. Access can only be gained via a key or if provided by a resident or concierge.
 - Information has been provided to all residents in high-rise blocks about fire safety measures and their role in keeping their homes and building safe. This information is updated and re-provided as the situation changes.
 - Temporary simultaneous evacuation arrangements are in place until works are completed and risk assessments revisited.
 - Specific arrangements are in place for those residents with a Person-Centred Fire Risk Assessments (PCFRAs).
 - West Yorkshire Fire and Rescue Service have upgraded their response to fire alarms at high rise blocks and bring an additional pump, engine and high ladder to each call.

- Any incidence of fire triggers the undertaking of a new Fire Risk Assessment.
- Legionella Risk Assessments and controls
- All voids are surveyed for asbestos

2.2.11 At Berry Brow the following additional measures are in place:

- Monthly air testing for asbestos is undertaken.
- Monthly water sampling has been introduced as an extra control measure to manage the risk from vacant properties.

2.3 6-storey, low-rise and retirement living schemes blocks – fire safety remedial works

2.3.1 In April 2023 Cabinet agreed a report setting out the revised approach to the procurement and delivery of fire safety remedial works for 6-storey, low-rise and retirement living scheme blocks. Cabinet resolved that:

- approval be given to the direct award of fire remedial works to two 6-storey blocks to Fortem Solutions Ltd.
- approval be given to the packaging and delivery of the remaining ten 6-storey blocks, retirement living schemes and low-rise blocks.
- approval be given to enter into formal engagement with affected residents as set out in section 5 of the considered report.
- authority be delegated to the Strategic Director Growth and Regeneration and the Service Director, Finance to sign off and agree the final costs prior to contract award for the direct award to Fortem Solutions Limited.
- authority be delegated to the Strategic Director Growth and Regeneration in consultation with the Service Director, Legal and Governance to award future tenders for packages, subject to the production of a robust and affordable business case.
- the results of the Stage 1 Integrated Impact Assessment be noted.

2.3.2 The 6-storey blocks have had intrusive and extensive surveys completed and the findings from these have informed recommendations on works to be undertaken, packaging of blocks to reflect risk and to maximise the efficiency of client and contractor management. The packages are currently:

Package 1	Hebden Court Buckden Court
Package 2	Malham Court Burnsall Court Fern Lea Flats
Package 3	Church View house Granby Flats Swan Court
Package 4	Wain Court Fare Hill Flats
Package 5	King Cliffe Flats Fernside Court

- 2.3.3 The packages include mandatory fire safety works for all 12 blocks, highly recommended fire safety and condition works at 10 blocks and recommended condition works at 2 blocks.
- 2.3.4 Package 1 of the 6-storey blocks has been approved for direct award to Fortem Solutions Ltd. Stage 1 design and specification documents have been drawn up by AHR, the council's consultant, and were shared with Fortem Solutions Ltd on 5 July. Fortem Solutions Ltd are now developing proposals for works and costs with their supply chain. Cost proposals are due back from Fortem by the end of July, detailed design and planning is due to complete in October with a start on site expected in January 2024. To ensure value for money, the development of costings for the scheme will be led by AHR. Scheme costs will be developed using an open book approach with Fortem Solutions Limited and their supply chain to obtain realistic costs. These will be cross-referenced and benchmarked with both published industry data and recently completed/ procured schemes for similar works by AHR before being agreed.
- 2.3.5 The remaining ten 6-storey blocks will be competitively tendered in packages. A Design and Build contract will be used to ensure that design and risk liability and management is appropriately apportioned and managed. AHR will remain as client advisors for the duration of the schemes and contractors will need to provide their own specialist design teams. This arrangement will help to ensure the exercise of rigour and due diligence necessary under the Building Safety Act in the design and delivery of works and ensure that the golden thread required to maintain a building safety case is achieved. Package 2 of the 6-storey block is expected to be out to tender by December 2023.
- 2.3.6 Detailed surveys of RLS are being conducted by a multi-disciplinary team led by AHR and will be provided in tranches from August to November 2023. The surveys are being undertaken on the same basis as those for 6-storey blocks and will result in a similar mandatory, highly recommended, recommended breakdown of works to support decisions on scope of work and packaging.
- 2.3.7 The fire safety remedial actions for low-rise blocks are being developed into tender packages for issue in August 2023. These will close off the majority of known FRA actions currently outstanding. Works are expected to start on site at the beginning of 2024/25.
- 2.3.8 The following risk management measures are in place in 6-storey blocks:
- All have part 1 and part 6 fire detection and alarm installations in place.
 - All have Emergency lighting.
 - Daily inspections of the premises are carried out.
 - Fire alarms and emergency lighting are tested weekly.
 - Any incidence of fire triggers the undertaking of a new Fire Risk Assessment.
- 2.3.9 The following risk management measures are in place in Retirement Living Schemes:

- All but one RLS have part 1 and part 6 fire detection and alarm installations in place.
- All have emergency lighting.
- All but one have sprinkler systems in place
- Daily inspections of the premises are carried out.
- Fire alarms and emergency lighting are tested weekly.
- Any incidence of fire triggers the undertaking of a new Fire Risk Assessment.

2.3.10 The following risk management measures are in place in low-rise blocks:

- Part 6 alarms are in place and checked during gas safety visit. If there is no gas in the property, then Part 6 alarms are checked during electrical safety visits. Part 6 alarms are reinstated during these visits where this is necessary or if they are reported as repairs by the resident.
- Fire safety inspections are undertaken on a monthly or weekly basis depending on risk.
- Any incidence of fire triggers the undertaking of a new Fire Risk Assessment

2.4 Other Fire Safety remedial actions

2.4.1 A total of 350 blocks have been identified as requiring changes to bin store configurations for fire safety reasons. These are mainly the creation of new bin stores 6m away from blocks or providing fire safe storage where this is not possible e.g., through a fire rated storage solution. This work is currently overseen by the Partnerships Service with consultation carried out by the Fire Safety Resident Engagement Team. The table below sets out the FRA priority and progress on bin stores:

Priority	Total number of actions	Number of completed actions	Notes
AA	9	9	
A	27	18	5 blocks awaiting start dates 3 blocks at planning stage 1 block excluded from this programme – Buxton House
B	31	1	1 block awaiting start date 29 blocks at advanced planning. The majority of these blocks are at Carr St, Birstall where work is ongoing.
C	10	2	2 blocks awaiting start date 6 blocks at design stage
D	271	26	9 blocks awaiting start date, 6 blocks at design stage and a draft programme has been produced for the remaining 230 blocks

2.4.2 Building safety signage has been reviewed and updated across all high rise and 6 storey blocks and is compliant. Further work is ongoing to make these

notices more accessible/pictorial. As part of the work to implement the new safety in communal areas policy signage is being rolled out across all blocks with a communal entrance.

- 2.4.3 Some high risk fire actions where remedial works overdue are being dealt with separately from the above projects, these include 47 actions in progress and due for completion by the end of August, 3 that need to be added to the bin store programme and 217 for which a programme is being scoped for delivery by Property Services.

2.5 Inspections, servicing and testing of council homes

- 2.5.1 For all the big 6 areas of building safety, there are monthly programmes of inspection and survey in place. Updates on the delivery of these programmes are regularly reported to Building Safety Assurance Board (BSAB) for monitoring and oversight with areas of low-performance and risk highlighted and reviewed.

- 2.5.2 Programmes of surveys and inspections were on target in May and June 2023, apart from:

- 5 yearly domestic electrical testing where 48 properties were outstanding in May and 45 outstanding in June (of which 4 are void), all properties are compliant with the 10-year requirement. Summary details of the duration since the last test and the current status are set out in Appendix 2. Officers work with residents where household circumstances mean a test is not possible and where appropriate seek access under the Environmental Protection Act.
- Annual domestic gas servicing where 45 properties were overdue in May and 18 overdue in June. Summary details of the duration since the last service and the current status are set out in Appendix 2. Officers seek access under the Environmental Protection Act as soon as service dates are passed.
- Communal water hygiene inspection where 13 properties were outstanding in May and 9 were outstanding in June. This is due to contractor performance issues and the Technical Officer Water is working with the contractor to produce a programme for the remainder of the year to bring inspections back on track by August.
- Lift servicing where 6 services were overdue in June. Details of reasons for delay and anticipated completion dates are awaited from the contractor.

- 2.5.3 Remedial works identified through survey and inspections are actioned according to risk with actions taken appropriate to the area of safety affected, as follows:

- Asbestos – asbestos which is in a condition that necessitates additional remedial actions is either removed or encapsulated. Where asbestos is encapsulated, the frequency for re-survey is reviewed to ensure risks are adequately managed dependent on the type of Asbestos, likelihood of disturbance, and any applicable parameters that affect risk level.
- Water – where legionella risk assessments identify remedial actions, these are either ordered immediately or promptly following a visit by the

Technical Officer Water to assess requirements. The risk assessments identify remedials based on risk levels of high, medium, and low. These are managed against SLA requirements identified in the Water Safety Management Plan and in compliance with legislative requirements.

- Electrical – Where Electrical Installation Condition Reports (EICRs) are completed these produce remedials: C1 (Danger Present), C2 (Potentially Dangerous, C3 (Improvement recommended), and FI (Further Investigation required). C1 & C2s present a risk to the safety of residents and are resolved immediately. FI items are investigated immediately and works or risk mitigations put in place immediately. C3 recommendations are dealt with through capital schemes, upgrades and one-off projects; as these present low risks to safety or could potentially require larger investment to improve the performance of the installation.
- Gas servicing – Where remedials are identified during a CP12 Gas Inspection, the risk posed by the requirement will be identified by the Competent Person for Gas Safety and a RAG rating assigned. These could be high risks where a boiler would be isolated immediately or a lower risk action that would be rectified against the identified SLA in the Gas Safety Management Plan and in compliance with legislative requirements.
- Lifts – Remedial actions and risk levels for lifting equipment are identified through monthly or bi-monthly servicing or through 6 monthly LOLER Insurance Inspections. Where further testing is needed to identify remedial issues, requirements or risks this is immediately escalated to the Service Manager Building Safety or the Head of Assets and Development for Safety Assessment Federation (SAFed) testing to be commissioned. Any remedial actions identified or missed services that have implications for the safety of users of lifting equipment are risk assessed by the Service Manager Building Safety and a decision made on whether to take the lift out of service and isolate it. Where this happens, residents are informed and kept up to date about the situation and if the issue will affect their movement around the building, alternative arrangements will be put in place.
- Fire – Where remedial actions are identified through a Fire Risk Assessment or other fire related tasks, risks are assessed as being high, medium and low. Remedial actions and reports are managed by the Technical Officers, Fire Safety with works being undertaken by competent persons to ensure legal compliance and resident safety. Where firefighting equipment, such as fire alarms, dry risers, sprinkler systems are present, they are serviced and maintained through regular maintenance visits by contractors with remedial actions managed by the Technical Officers, Fire Safety and escalations are raised with the Service Manager, Building Safety. Where repairs cannot be completed in a timely manner, risk mitigations are put in place to reduce risks arising and ensure the safety of residents.

2.6 Testing, servicing and inspection in leaseholder homes

2.6.1 Kirklees Council has circa. 1,100 leasehold properties where the council is not responsible for building safety testing, inspection and servicing but is

responsible for ensuring building and tenant safety relating to communal areas and services that may impact on buildings. Prior to the implementation of the Building Safety Act 2022, there was no specific legislation in place requiring a leaseholder, living in their own property, to undertake their own gas and electrical safety checks. There is legislation in place for any leaseholder who has sublet the property to provide gas and electrical safety certificates to their tenant (but it is not stipulated within the existing leasehold agreement that they must evidence this to the council).

- 2.6.2 Currently the Council has evidence that 17% of leaseholders have up to date gas safety certificates in place and 5% are compliant in relation to electrical safety. A number of leaseholders (estimate 440 (40%)) sublet their properties, which in essence means that the leaseholder at the point of letting the property, is obligated to carry out their own landlord safety checks. However, the current lease agreement does not require them to provide a copy of this to the council.
- 2.6.3 A new master lease has been drawn up with Trowers and Hamlins Solicitors which includes clauses to ensure that leaseholders share relevant safety, testing and servicing information with the Council. The use of this master lease commenced in March 2023 for new leases being granted under the right-to-buy scheme, however it is not possible to retrospectively amend existing leases.
- 2.6.4 Officers have contacted leaseholders to request evidence of safety tests and inspections, but there has been little improvement in the number of leaseholders that are known to be compliant. The Leasehold team are developing processes and systems to manage the collection and management of building safety compliance data from leaseholders in relation to gas and electricity. The creation of a leaseholder forum for building safety is being considered as part of this work.
- 2.6.5 Tenants of sub-let properties have been provided with information on their rights in relation to building safety.

3 Implications for the Council

3.1 Working with People

- 3.1.1 Putting tenants at the heart of the decisions affecting them is central to the way Homes and Neighbourhoods works. The delivery of programmes of inspection and remedial works means that building safety risks are mitigated and managed to ensure resident safety. PCFRAs and fire safety engagement in high-risk buildings enables understanding of resident concerns and awareness so that approaches to their involvement are responsive to need. Large scale remedial works schemes will be delivered through engagement and consultation with residents and learning from other projects and activity. Engagement with tenants to develop the proposals, manage delivery and the upkeep of buildings in future is critical in achieving successful outcomes.

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) are 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 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 Activity being undertaken at present supports the gathering of data and evidence about the safety of homes and buildings. The intelligence derived from data enables risk management and plans for investment to meet needs and ensure compliance. Learning from recent and current projects, fire safety engagement and complaints will support continuous improvement to engagement and involvement of ward members, residents and communities in building safety activity.

3.4 Climate Change and Air Quality

- 3.4.1 For larger scale remedial works, such as those in 6-storey blocks, the opportunity for improvements to homes to reduce carbon emissions, provide sustainable energy sources and make them climate ready will be assessed through option appraisal.
- 3.4.2 The 6-storey block projects will be used to develop the understanding of the climate impact of schemes, measuring and quantifying the effects of removal, reuse, recycling and disposal of existing materials and the lifecycle footprint of new materials. This will provide material to develop toolkits and specifications to manage the environmental impact of future schemes in the most appropriate way.

3.5 Improving outcomes for children

- 3.5.1 The actions set out in the report support the management of safety in council homes and the improvement of living conditions. This in turn should lead to better physical and mental health.

3.6 Financial Implications for the people living or working in Kirklees

- 3.6.1 Where the fabric of a building is improved and brought up to more modern standards, this should have an impact on the efficiency of the property and support lower energy usage by residents. This will reduce the costs to residents of running their homes and support them to cope with the cost of living. It should

also help provide conditions that enable leaseholders and tenants to obtain insurance and benefit from the peace of mind this brings.

- 3.6.2 Social Value requirements are being developed for the 6-storey block projects and will be used to produce a framework of requirements for application to future projects. The framework used to appoint Fortem Solutions Limited required bidders to confirm their willingness to deliver on social value measures on local employment, supply chain, supplies and equipment and community engagement. These measures align with the Councils TOMs and the framework provides the freedom for the Council to agree the specific measures with Fortem Solutions Ltd.

3.7 Other (eg Integrated Impact Assessment (IIA)/Legal/Financial or Human Resources) Consultees and their opinion

- 3.7.1 A Stage 1 IIA has been carried out on the proposals for 6-storey blocks, RLS and low-rise blocks and a Stage 2 assessment is not required. The main areas affected by the proposals were the environment and people with disabilities. Designs and proposals will take account of guidance and best practice in relation to dementia, physical and visual disabilities and impairments.
- 3.7.2 The Council as landlord has numerous statutory duties and obligations and must comply with regulatory standards. Failure to comply may compromise tenant safety and result in a breach of the Regulators consumer standards and or lead to prosecution being brought against the council (eg corporate manslaughter) in serious cases .

4 Consultation

- 4.2 There is ongoing consultation with residents about building and fire safety through a range of channels. The consultation method used depends on the issue being dealt with, the type of building and individual resident needs. In general, the first communication to inform, update or raise awareness will be through a letter, posted or hand delivered to each home. Letters are used to provide information on fire safety works, including a rationale for works, the improvements they will make to resident safety, start dates, duration and levels of disruption. Most recently letters have been sent in relation to investment work at Harold Wilson Court and Buxton House. Letters include FAQs where applicable, contact details should residents have further questions and information on how translations into different languages or formats can be obtained if required. Ward Councillors also receive copies of key letters sent to their constituents.
- 4.3 The high-rise blocks at Berry Brow, Buxton House and Harold Wilson Court have been receiving a bi-monthly newsletter. These have recently been paused and will be re-established in the coming months with content related to the high-rise investment programme.
- 4.4 The 6-storey blocks receive block specific newsletters on a 6 monthly basis, the frequency is increased if there are identified concerns within a block. The format is similar to that of high-rise newsletter. The proposals for fire safety

remedial and condition related works to the 6-storey blocks will be included in the next newsletter.

- 4.5 A newsletter for the 19 retirement living schemes has been developed and is being distributed. Following the delivery of the newsletters, staff from the Fire Safety Engagement Team and Independent Living Officers arrange drop-in sessions for tenants to discuss any fire safety questions and concerns.
- 4.6 Noticeboards have been installed in all high-rise and 6-Storey Blocks. These all contain relevant information including fire action notices and evacuation points. The Fire Safety Resident Engagement Team carry out regular checks of all information to ensure it remains current and up to date.
- 4.7 Information on fire safety is available on the Kirklees Council website. This platform provides a variety of information on 'fire safety in your home and in your building'. This includes an 'easy read' summary of the current Fire Risk Assessment (currently being updated to reflect remedial works delivered) for all the high-rise, 6-storey blocks and retirement living schemes along with an opportunity to feedback any comments or concerns. Content for the website under the banner 'Safety and Services' continues to be developed. Fire safety messages are also shared through social media.
- 4.8 In January 2023 letters were sent to all tenants about the importance of fire doors and tenant responsibilities including keeping these closed and not damaging the integrity of doors. Follow up visits to check information had been received and understood were carried out on a sample of blocks. Some tenants had received the letter whilst others could not remember seeing it. Duplicate copies of letters were provided and the importance of flat entrance doors and communal fire doors were discussed with residents, as was the importance of reporting any damage to these doors as soon as it is identified and how to do this.
- 4.9 The FSRE Team completed engagement work in the 6 storey and high-rise blocks during December 2022, engaging with tenants on cost of living and safe practices e.g. use of Calor Gas heaters, candles etc.
- 4.10 The FSRE Team has extended the delivery of PCFRAs from high-rise blocks and is now working in the low-rise blocks. During quarter 4, the team completed 22 PCFRAs. A Standard Operating Procedure has been developed to deliver the PCFRA function working closely with the Building Safety Team. The Team carried out a roadshow across Housing Management teams to present the approach to PCRFAs. This has resulted in an increase in referrals for residents living in low-rise accommodation.
- 4.11 In March 2023 TAGP received an update on the signing off and implementation of the communal areas policy. The policy states that communal areas of blocks are risk assessed with regards to items stored in communal areas. A sample of risk assessments for retirement living schemes was shared with the Panel, where areas were assessed as "normal" with no items requiring removal. The Communal Area Policy complies with regulation and has been developed using

guidance from specialist officers in Homes and Neighbourhoods and West Yorkshire Fire and Rescue Service.

5 Engagement

- 5.2 There are currently 16 Fire Safety Champions who are tenants or leaseholders and represent the block of flats or scheme where they live. Sadly, one Fire Safety Champion passed away in May 2023. Work is ongoing to continue to recruit additional Fire Safety Champions. The ambition is to recruit one champion for each building in scope, namely the four high-rise blocks, twelve 6-storey blocks and 19 retirement living scheme, 35 in total. Champions are supported by the Fire Safety Resident Engagement Team to ensure that they can effectively carry out their duties.
- 5.3 Champions share information relating to fire safety with other tenants and leaseholders; help to advise residents of their responsibility for fire safety; feed back any concerns in the block relating to fire safety; and take part in block inspections with Housing Management Officers (HMOs) to monitor communal areas ensuring they are well kept and safe. Fire Safety Champions are also encouraged to work with other local tenant and resident associations on campaigning or community activities.
- 5.4 Fire Safety Champion Forums have been established and the first round, held during quarter 4, were well attended by Champions. The Forums are an opportunity to update Champions on general fire/building safety, confirm roles and responsibilities and an opportunity for champions to ask questions. Fire safety champions asked if the current name and contact details of the Housing Management Officer for blocks and Independent Living Officers for schemes could be displayed on the notice boards. A request was made to amend the block check forms the Champions use to differentiate between a block and retirement living scheme and to provide more space to write information needed. These changes are being actioned by the FSRE Team.

6 Next steps and timelines

- 6.1 Remedial fire safety works to high-rise blocks will be completed by November 2023, subject to gaining access where appropriate.
- 6.2 Package 1 of fire safety remedial works to 6-storey blocks will be taken forward through design and delivery phases with AHR, Fortem Solutions Ltd, residents, members and other stakeholders. Programme dates are awaited from AHR.
- 6.3 Development of detailed designs and proposals for Packages 2 to 5 for 6-storey blocks to be taken forward along with stakeholder engagement planning. Programme dates are awaited from AHR.
- 6.4 Surveying of RLS will be completed by November and reports will be issued in tranches from August. Option appraisal and the development of works packages will commence in September.
- 6.5 Packages of fire safety remedial works for low-rise blocks will be developed and issued for tenders by the end of August 2023.
- 6.6 Programmes of inspection and re-inspection will continue to be delivered with KPI reporting monthly. KPIs to be reported will be reviewed to ensure that they reflect legislation, policy and guidance and enable Boards to be sighted on key risks and issues. The development of Safety Management Plans is ongoing and

they will set out KPIs and PIs, a report on this will be presented to Cabinet in November.

- 6.7 The Fire Safety Resident Engagement and Building Safety teams will continue to develop the approach to PCFRAs and will extend this activity to include the development of Personal Emergency Evacuation Plans (PEEPs) for those residents that need them. Work on scoping requirements for PEEPs will be completed by the end of August and PEEPs will then be produced.
- 6.8 Engagement with WYFRS to develop a partnership working protocol will commence in August.

7 Officer recommendations and reasons

- 7.1 The Council as landlord has numerous legal duties to ensure the safety of its tenants and leaseholders and must comply with regulatory standards of the Regulator of Social Housing and the Building Safety Regulator. The Council is also subject to oversight from the Housing Ombudsman in relation to council housing. This report sets out how the Council is complying with regulation and ensuring the safety of residents.
- 7.2 Members are asked to:
 - 7.2.1 Note the contents of the report, in particular current performance.
 - 7.2.2 Provide officers with feedback on areas of concern in relation to resident safety to enable further action to be taken.
 - 7.2.3 Note the approach taken to resident safety and engagement, risk management and mitigation.

8 Homes and Neighbourhoods Improvement Board recommendations

- 8.1 Homes and Neighbourhoods Improvement Board (HNIB) has been in place since June 2023 and provides robust challenge and support for the delivery of housing activity and strategy. Part of the role of HNIB is to advise and make recommendations on and escalate items and issues to Cabinet
- 8.2 HNIB considered and discussed this paper on 24 August 2023 and agreed with the officer recommendations set out in section 7 above.

9 Cabinet Portfolio Holder's recommendations

- 9.1 This paper was considered by the Cabinet Portfolio Holder on 11 July 2023. The Cabinet Portfolio Holder at that time (Cllr Cathy Scott) agreed with the officer recommendations set out in section 7 above.

10 Contact officer

- 10.1 Hannah Elliott, Head of Assets and Development, 01484 221000
hannah.elliott@kirklees.gov.uk

11 Background Papers and History of Decisions

[20230310 Fire safety Blocks Cab report Apr23 v2.1.pdf \(kirklees.gov.uk\)](#)
[Decision - Procurement of fire safety remedial works to Council Housing 6-storey, low-rise and retirement living scheme blocks | Kirklees Council](#)

www.gov.uk/government/publications/the-social-sector-building-safety-engagement-bestpractice-group-final-report

12 Service Director responsible

Naz Parkar, Service Director Homes and Neighbourhoods

Health & Safety Compliance Scorecard - Inspection and Re-Inspection													
Inspection type	Jan-23	Feb-23	Mar-23	Apr-23	May-23				Jun-23				Direction of Travel
	% Compliant Jan 23	% Compliant Feb 23	% Compliant Mar 23	% Compliant Apr 23	Inspections Required May 23	Inspections Complete May 23	Overdue Inspections May 23	% Compliant May 23	Inspections Required Jun 23	Inspections Complete Jun 23	Overdue Inspections Jun 23	% Compliant Jun 23	
Type 1 Fire Risk Assessment to Communal Blocks	100.00%	100.00%	100.00%	100.00%	24	41	0	100.00%	22	47	0	100.00%	
Electrical testing - Domestic 5 yearly	97.71%	99.55%	99.62%	99.71%	21188	21140	48	99.77%	21187	21142	45	99.79%	
Electrical testing - Communal Areas	100.00%	100.00%	99.89%	100.00%	921	921	0	100.00%	921	921	0	100.00%	
Gas Servicing - Domestic	99.87%	99.87%	99.85%	99.82%	20085	20040	45	99.78%	20073	20055	18	99.91%	
Gas Servicing - Communal Areas	100.00%	100.00%	100.00%	100.00%	52	52	0	100.00%	52	52	0	100.00%	
Annual solid fuel check - domestic	N/A	100.00%	96.15%	92.31%	51	47	4	92.16%	51	51	0	100.00%	
Asbestos - Communal Area Re-Inspection	100.00%	100.00%	100.00%	100.00%	46	46	0	100.00%	91	91	0	100.00%	
Asbestos - Domestic Reinspection	N/A	N/A	N/A	N/A			0	N/A	681	681	0	100.00%	
Water Hygiene - Communal Inspections	100.00%	75.86%	63.79%	63.79%	58	45	13	77.59%	58	49	9	84.48%	
Passenger Lifts/Platform lifts - Servicing	100.00%	100.00%	100.00%	100.00%	24	24	0	100.00%	30	24	6	80.00%	
Passenger Lifts/Platform lifts - Insurance Inspections (LOLER)	100.00%	100.00%	100.00%	100.00%	13	13	0	100.00%	2	2	0	100.00%	



Health & Safety Compliance Scorecard - Remedial Actions



May 2023

Remedial Action type	Remedial Actions Required	Remedial Actions Complete	Overdue Remedial Actions (previous month)	Overdue Remedial Actions (current month)	Actions identified through Type 1 FRA	Completed Type 1 FRA Actions	Extrapolated Actions	Completed Extrapolated Actions	Details	Direction of Travel
FRA High Priority	1393	1063	291	330	1393	1063	0	0	39 new actions were received in May No actions were completed in May	↓
FRA Medium Priority	11369	893	10410	10476	2521	280	8848	613	66 new actions No actions completed	↓
FRA Low Priority	6324	458	6054	5866	1550	29	4774	429	188 low priority actions were completed or closed in the system in May	↔
	19086	2414	16755	16672	5464	1372	13622	1042		

Remedial Action type	Remedial Actions Required	Remedial Actions Complete	Overdue Remedial Actions (previous month)	Overdue Remedial Actions (current month)					Details	Direction of Travel
A.I.B. Removal	2476	2444	34	32					Currently there are 32 Removal / Encapsulation jobs outstanding. 20 of these require a tenant decant and are being managed by the asset team as part of the wider decant programme. 3 properties are on hold. The remaining 9 properties are on order, or out to quote.	↔

Remedial Action type	Remedial Actions Required	Remedial Actions Complete	Overdue Remedial Actions (previous month)	Overdue Remedial Actions (current month)	Outstanding Remedial Actions (previous month)	Outstanding Remedial Actions (current month)			Details	Direction of Travel
Communal Water High priority	316	283	0	0	6	42			7 New LRAS carried out in May resulted in increase in remedial actions. Technical Officer, Water to visit sites before ordering some work. Other works on order with property services and IWS. All remedial actions are currently within the allowed time frame	↓
Communal Water Medium Priority	64	55	0	0	0	9			7 New LRAS carried out in May resulted in increase in remedial actions. Technical Officer, Water to visit sites before ordering some work. Other works on order with property services and IWS. All remedial actions are currently within the allowed time frame	↓
Communal Water Low Priority	130	121	0	0	0	9			7 New LRAS carried out in May resulted in increase in remedial actions. Technical Officer, Water to visit sites before ordering some work. Other works on order with property services and IWS. All remedial actions are currently within the allowed time frame	↓

Health & Safety Compliance Scorecard - Remedial Actions
June 2023



Remedial Action type	Remedial Actions Required	Remedial Actions Complete	Overdue Remedial Actions (previous month)	Overdue Remedial Actions (current month)	Actions identified through Type 1 FRA	Completed Type 1 FRA Actions	Extrapolated Actions	Completed Extrapolated Actions	Details	Direction of Travel
FRA High Priority	1392	1075	330	317	1392	1075	0	0	1 new high priority actions was received in June 12 high priority actions were completed in June	↓
FRA Medium Priority	11630	893	10476	10737	2782	280	8848	613	An additional 261 medium priority actions were identified in June	↓
FRA Low Priority	6324	458	5866	5866	1550	29	4774	429	No new actions received in June No actions completed in June	↔
	19346	2426	16672	16920	5724	1384	13622	1042		

Remedial Action type	Remedial Actions Required	Remedial Actions Complete	Overdue Remedial Actions (previous month)	Overdue Remedial Actions (current month)					Details	Direction of Travel
A.I.B. Removal	2502	2472	32	30						↔

Remedial Action type	Remedial Actions Required	Remedial Actions Complete	Overdue Remedial Actions (previous month)	Overdue Remedial Actions (current month)	Outstanding Remedial Actions (previous month)	Outstanding Remedial Actions (current month)			Details	Direction of Travel
Communal Water High priority	339	327	0	0	42	12			Most outstanding actions are regarding tank conditions following on from LRAs. Tank clean and disinfection works are on order.	↑
Communal Water Medium Priority	74	68	0	0	9	6			Most outstanding actions are regarding tank conditions following on from LRAs. Tank clean and disinfection works are on order.	↑
Communal Water Low Priority	134	128	0	0	9	6			Most outstanding actions are regarding tank conditions following on from LRAs. Tank clean and disinfection works are on order.	↑

Inspections Overdue			
May-23			
Status	Number	Period since last test	Commentary
5 Yearly Domestic Electrical Testing			
Total number overdue	48		
Works planned	8		All works are planned for July 2023 1/2/visit
	0	10+ years	
	0	8+ years	
	0	7+ years	
	0	6+ years	
	8	5+ years	
On hold	6		6 properties works are being arranged void or repair after test
	0	N/A	
	6	5+ years	
Difficult to Access	14		A mixture of warrants, no meter and other issues working with EPA/HOs/specialist cleaning and police weekly meetings
	1	no last test date	
	0	9+ years	
	3	7+ years	
	9	6+ years	
	1	5+years	
Awaiting other trades	1		void, will become complaint on completion of the void
	0		
	1	5+ years	
In legal process	18		All going through EPA process can be up to 5/6 weeks
	2	no last test date	
	3	7+ years	
	1	6+ years	
	12	5+ years	
Annual Gas Servicing			
Total number overdue	45		
Warrant served			
Warrant obtained	10		
Abatement notice expired	11		
Abatement notice served	24		
Awaiting service of notice			
Annual Solid Fuel Check			
Total number overdue	4		
Officer no-access process	4	3 x 12 months 1 x 11 months	3 of these have now been completed in June 2023
Water Hygiene Inspection			
Total number overdue	13		
Inspection programmed	13	2+ years	

Inspections Overdue June 2023



5 Yearly Domestic Electrical Testing

Total number overdue	45	
Works planned	8	All works are planned for July 2023 1/2/visit
	0 10+ years	
	0 8+ years	
	0 7+ years	
	0 6+ years	
	8 5+ years	
On hold	7	
	0 N/A	
	7 5+ years	
Difficult to Access status 350	13	A mixture of warrants, no meter and other issues working with EPA/HOs/specialist cleaning and police weekly meetings
	1 no last test date	
	0 9+ years	
	2 7+ years	
	9 6+ years	
	1 5+ years	
Awaiting other trades	2	void, will become complaint on completion of the void
	0	
	2 5+ years	
In legal process	15	All going through EPA process can be up to 5/6 weeks 1 x buy back
	3 no last test date	
	3 7+ years	
	1 6+ years	
	8 5+ years	

Annual Gas Servicing

Total number overdue	18	
Warrant served		
Warrant obtained	1	
Abatement notice expired	12	
Abatement notice served	6	
Awaiting service of notice		

Water Hygiene Inspection

Total number overdue	9	
Inspection programmed	9	