

Report to: Housing Review Board



Date of Meeting 16th September 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Property & Asset; expanding the Compliance & Cyclical Servicing arm of the Property & Asset Team

Report summary:

To request that the Housing Review Board accepts the recommendation for an increase in budget for additional posts in the Housing Property & Asset team for the delivery of compliance and cyclical services work streams, to ensure that our Housing Stock remains safe, compliant and that our Tenants can feel safe in their homes.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That HRB recommends (via Cabinet) to Council the approval for additional budget to resource new posts for the delivery of compliance and cyclical service work streams to ensure that our Housing Stock remains safe and compliant so that our Tenants can feel safe in their homes.

Reason for recommendation:

To ensure that East Devon District Council discharge their legal requirements with regards the effective management of their Housing Stock in line with all Statutory Regulation and delivering 100% compliance in all required areas.

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Portfolio(s) (check which apply):

- Climate Action and Emergencies
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Culture, Tourism, Leisure and Sport
- Democracy and Transparency
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Equalities impact Medium Impact

As a Social Landlord we carry a Statutory Requirement to deliver compliance and cyclical serving across all of our Housing Stock in line with Statutory Regulation, Housing Policy and manufacturers recommendations.

Climate change Medium Impact

Risk: Medium Risk; There will always be a requirement to carry out compliance and cyclical servicing work across our Housing Stock, technologies may change, particularly as Climate Change work is carried out but the requirement for such servicing and compliance related work in line with Statutory Regulation, Housing Policy and manufacturers recommendations will remain.

Links to background information .

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
 - Outstanding Homes and Communities
 - Outstanding Economic Growth, Productivity, and Prosperity
 - Outstanding Council and Council Services
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Report in full

1. Introduction & Overview:

2. Health & Safety, Compliance and Cyclical Servicing are at the very top the Property & Asset Service delivery agenda as they are the driver to ensure that our Housing Stock remains safe, compliant and that our Tenants can feel safe in their homes; there is a focus on the big 5 areas of compliance/ cyclical servicing, namely:

- Asbestos Management:
 - Surveying/re-inspections
 - Air Testing
 - Removal
 - Maintaining the Asbestos Register
- Gas Servicing:
 - Gas and LPG systems
 - Domestic and Commercial Boiler Installations
 - No Access issues/Legal Forced entries
 - Repairs etc. arising from the service
- Electrical Testing
 - 5 yearly testing/inspection of all tenanted properties
 - Annual inspection of communal areas of all blocks of flats
 - Repairs etc. arising from the tests/inspections
- Fire Management
 - Delivery of Fire Risk Assessments
 - Fire Alarm testing
 - Emergency Light testing
 - Automatic Opening Vent (AOV) testing
 - Smoke/Heat/CO Detector testing
 - Dry Riser testing
 - Fire Extinguisher testing
 - Fire Door inspections
 - Repairs and Planned Programmes of Work arising from the assessments, inspections and tests
- Legionella
 - Programmes of Risk Assessments

- Legionella testing
- Repairs and Planned Programmes of Work arising from the assessments, inspections and tests

In addition to what are deemed as the big 5 we also deliver many other areas of compliance/cyclical serving related work including the following:

- Passenger Lift serving
- Stairlift Servicing
- Oil Servicing
- Unvented cylinder servicing
- PAT Testing
- Solid Fuel servicing
- Air Source Heat Pump servicing
- Solar PV & Thermal servicing
- Radon Testing
- Whole House Ventilation System servicing
- Positive Input Ventilation (PIV) System servicing
- Automatic Door/Door Operator Servicing
- Door Entry System management (components only)
- Overhead Track Hoist Servicing
- Clos-o-mat servicing
- Sewage Treatment Plan management
- Borehole management
- Rainwater Harvester servicing
- Fixed Ladder testing
- Energy Performance Certificate (EPC) management

3. Current Position:

4. The responsibility for the management to deliver all the work streams highlighted above sits within the Property & Asset Team but unlike other organisations we do not have a specific dedicated resource/team to deliver compliance and cyclical servicing.

The work whilst being delivered, is shared across the whole of the Property & Asset Team and, is very often treated as secondary behind the main work streams Officers are tasked to deliver, as a result their focus may not be 100% on the compliance and cyclical servicing work streams.

5. Earlier this year the decision was taken to provide an additional delivery arm within the Property & Asset Team to focus on Compliance & Cyclical Servicing; the team now has four direct delivery strands:

- Reactive Repairs & Voids
- Planned Works, Climate Change, Stock Condition Survey
- Compliance & Cyclical Servicing
- Call Centre, Customer Improvement and relationship management

As part of this change to the make-up of the team a Compliance & Cyclical Servicing Manager was appointed, unfortunately this was at the expense of the Compliance Surveyor.

6. At present as well as the Compliance & Cyclical Servicing Manager there are two Officers within the Compliance and Cyclical Servicing arm of Property & Asset, namely:

- Programmed Works Officer; at present this Officer is responsible for the management of:
 - Gas servicing
 - Repairs arising from gas servicing
 - Reactive/planned gas system installs
 - Solid Fuel servicing
 - Repairs arising from solid fuel servicing
- Asset & Compliance Technician; at present this Officer is responsible for a number of administrative tasks associated with some areas of compliance, namely:
 - Asbestos
 - Gas
 - Fire (the testing work streams)
 - Electrical

Currently the Compliance & Cyclical Servicing Manager is having a direct overview of all gas/solid fuel servicing to ensure they are delivered in a compliant manner as well as endeavouring to pick up all the other work streams listed in item 2. This current arrangement coupled with the future introduction of Statutory Compliance related legislation e.g. the Social Housing White Paper/Building Safety Act is untenable and needs to be addressed as a matter of priority, as such a workload cannot be managed by single person long term, further the situation could lead to failure, reputational damage to the Authority and ultimately a risk of prosecution should anything go wrong.

In addition to the aforementioned the Compliance & Cyclical Servicing Manager also has direct involvement in the following areas:

- Ensuring compliance with the Construction Design & Management (CDM) Regulations particularly in review both Pre-Construction and Construction Phase Health & Safety Plans.
- Major incident investigation e.g. fires including liaising with external Organisations and the co-ordination of joint responses.
- Preparation of legal documentation and attendance at Court as and when required to carry forced entry into properties to facilitate statutory cyclical servicing
- Sitting on external Committees to review best practice in relation to Compliance.
- Procurement of major projects in relation to compliance/cyclical servicing both internally and externally as part of a working group with our Framework Providers e.g. Advantage South West.
- Routine site inspections to ensure Contractors engaged by East Devon District Council are working in a compliant manor.

All these important duties impact on their ability to deliver the routine compliance/cyclical servicing duties.

7. **Future Legislation:**

8. The future introduction of the Social Housing White Paper and the Building Safety Act both produced in part as a response to the Grenfell Tower Fire Tragedy is intended, after due consultation to provide the Governments vision for Social Housing to provide safe, secure homes that help people to get on with their lives.

The Legislation will be a regulatory framework governed in part by the Health & Safety Executive and will cover such areas as:

- Building safety
- Fire safety

- Storage of records
 - Specification of materials
 - The execution of work on site by accredited Contractors, third party certification of work, inspection regimes etc.
 - Changes to how complaints are handled, both on a formal and informal basis
 - Greater transparency of performance data for residents and the public
 - Reporting of KPIs to the Social Housing Regulator, and linking that to funding for the Affordable Homes Programme
 - Increased choice for tenants in terms of governance, repairs contractor, or raised profile for forms of local governance, like community housing associations
 - Updating Decent Homes standards
 - Increasing housing supply
 - Exploring new models; and supporting existing models to increase homeownership
9. Not only will the Legislation impact on Housing as a whole but particularly Property & Asset and specifically Compliance and Cyclical Servicing; in particular the Building Safety Act will be the Governments legislative response to the Grenfell Fire and the Hackett review of the building industry, 'Building a Safer Future'; this will lead to wholesale reform of the regulatory system for building control and safety, primarily the reforms are designed to improve building and fire safety with primary aim of ensuring residents will be safer in their homes.

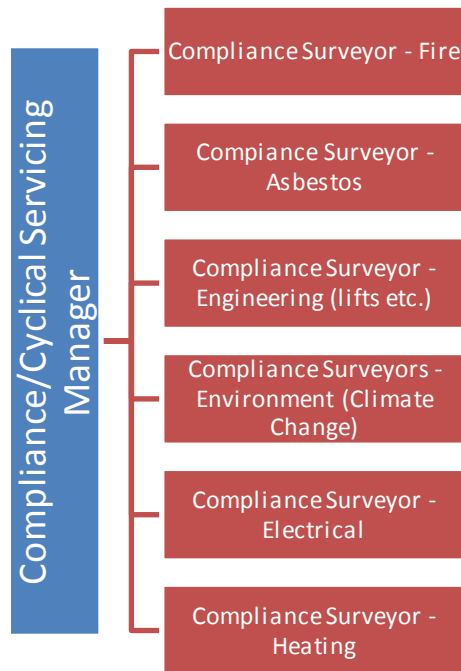
The Act will introduce a new era of accountability making it clear where the responsibility for managing safety risk lies throughout the design, construction and occupation of buildings within the scope. There will be tougher sanctions for those that fail to meet their obligations.

It will also introduce a much stricter level of Regulation that will be managed by an arm of the HSE, there will be greater enforcement powers, Residents will be empowered to have a much bigger say on the safety within their dwellings/places of residence.

As can be seen the impending Building Safety Act will be an additional layer of Statutory Regulation and will place even greater emphasis on the Compliance and Cyclical Servicing Team to ensure that the Housing Stock is compliant and that we have the supporting documentation in place to demonstrate such compliance.

10. Industry Standard:

11. The current make-up of the team is well below industry standard and that required to deliver such important work streams to ensure the Authority maintains compliance across all areas.
12. A typical Industry Standard structure for a Compliance and Cyclical Services Team comprises of:



These are the main lead Officer roles for each of the work disciplines, within each there will also be assistant surveyor and admin' support roles the extent of which is dependent on the size of the Housing Portfolio being managed.

13. We have carried out a peer review with comparable registered providers locally with a similar stock size and their Compliance Teams are in line with industry standard however our Compliance Team is around 70% understaffed compared with industry standard.

14. Housing Property & Asset requirement:

15. It is clear that the current resource within the Housing Property & Asset Team is not sufficient to manage and deliver the compliance and cyclical servicing requirements of the service.

To this end we have carried out a review and believe that we require 4 additional Officers to join the Team to deliver all the compliance and cyclical servicing work streams and to ensure tenant safety; with the additional posts the Compliance and Cyclical Servicing arm of the Property & Asset Team will be:



16. The following are the headline duties that each post will deliver:

- Compliance Surveyor – Heating (existing post currently titled PWO)
 - Gas servicing (Commercial, LPG and Oil) including the management of repairs arising from gas servicing and reactive/planned system installs
 - Solid Fuel Servicing including the management of repairs arising from solid fuel servicing.
 - Legionella risk assessments/testing including the management of repairs arising.
- Compliance Surveyor – Asbestos
 - Management of the asbestos register
 - Management of the asbestos surveying and removal programmes
 - Annual asbestos reviews
 - Incident investigation
 - Cross team asbestos advice
 - Management of radon testing programme regime including specialist repair works arising.
- Compliance Surveyor – Services
 - Management of the 5 year/annual electrical testing programme including repairs arising
 - Management of the passenger lift and stairlift, platform lift and overhead track hoist servicing including repairs arising
 - Management of the air source heat pump servicing programme including repairs arising
 - Management of the solar PV/thermal servicing programme including materials arising
 - Management of the PIV and whole house ventilation systems serving programme including repairs arising
 - Management of rainwater harvester and Clos-o-mat servicing including repairs arising
- Compliance Surveyor – Building Safety
 - Management of the Fire Risk Assessment including their review, works arising and maintaining/updating the actions log

- Management of the fire alarm, emergency lighting, dry riser and AOV testing programmes including repairs arising
- Management of the fire door inspection programme including repairs arising
- Management of the Housing Health & Safety Rating System inspections and actions arising
- Asset & Compliance Technician (existing post):
 - Maintaining and updating the Property & asset data bases
 - Preparing cyclical servicing work programmes
 - Generally supporting the Property & Asset Team
- Compliance & Cyclical Servicing Admin' Support:
 - Respond to and resolve in a timely and courteous way enquiries by telephone, e-mail, letter's and in person from all sources and liaising with colleagues and other Directorates to resolve issues
 - Take responsibility for owning property records and the processing of orders, invoices including coding and checking accuracy of accounts through to completion
 - Take minutes and assist in preparation documents that are required for meetings with both internal staff and external contractors and file / distribute accordingly
 - Assisting in the 'no access' process, by phoning and creating letters to tenants advising of the importance of the service that's required
 - Provide advice and assistance to tenants, contractors and outside agencies, and respond to enquiries where required
 - Liaise with contractors to ensure they complete work within timescales
 - Maintain the training matrix and organise specialist training

As well as all the specific duties outlined and as a requirement under the impending Building Safety Act every member of the Compliance and Cyclical Servicing Team will also have the following included as part of their role:

- Resident engagement in relation to their specific area of work
- Manage property data for Building Safety Files
- Update the data systems to ensure that all reporting Compliance/Cyclical servicing dashboards etc. are in real time

17. Budget:

18. At present there are no funds in the budget to facilitate the enlargement of the Compliance and Cyclical Servicing arm of the Property & Asset Team; the aforementioned highlights the critical importance of Compliance and Cyclical Servicing work streams, the quantity and complexity of the work within and demonstrates the need that the work should be delivered by dedicated suitably qualified Officers.

At present, as already stated the work is to some extent shared across other areas of the Property & Asset Team but long term and with increased layers of Statutory Regulation this is untenable, not only do those Officers trying to deliver the work streams not have the required knowledge but it also impacts on the areas of work they have been engaged to deliver e.g. Planned Works, Special Needs Adaptations, bespoke major projects etc.

19. It is anticipated the financial implication and commitment for the additional posts equates to:

- 3no. Surveyor Posts at Grade 7 (£29,577.00 to £32,234.00)
- 1no. Admin' post at Grade 4 (£21,748.00 to £23,080.00)

Based on the upper ends of the spinal points for the pay scale the additional expenditure required to deliver these roles would be around £120,000.00 per annum notwithstanding

annual pay increments for what are deemed to be critical roles within the Property & Asset team to enable us to provide compliant homes that our Tenants feel safe to live in.

20. Recommendation:

21. That HRB recommends (via Cabinet) to Council the approval for additional budget to resource new posts for the delivery of compliance and cyclical service work streams to ensure that our Housing Stock remains safe and compliant so that our Tenants can feel safe in their homes.

Financial implications:

The budgetary implications of the posts mentioned in the body of the report considers salary only and does not incorporate National Insurance, Pension contributions and allowances. These posts would therefore require an approx. addition of £160k to the Property and Asset employee related budget of £882k, plus the additional associated overheads of IT resources etc

Legal implications:

There are no legal implications requiring comment.