

OVERVIEW AND SCRUTINY COMMITTEE

13 March 2024

Title: Compliance Progress & Update Report - Compliance Position – 2 Years On	
Report of the Strategic Director, My Place	
Open Report	For Information
Wards Affected: All	Key Decision: No
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Summary This report provides the Overview and Scrutiny Committee with an update on the Council’s statutory compliance position – 2 years on from its self-referral to the Regulator of Social Housing (RSH). Good progress has been made in all six areas of statutory compliance since the self-referral in February 2022. Two areas remain outstanding – completion of a five-year portfolio wide electrical inspection program and completion of remedial actions following Fire Risk Assessment being undertaken. All other areas of compliance are within normal operating tolerances and remain under high levels of scrutiny and improvement.	
Recommendation(s) The Overview and Scrutiny Committee is asked to note the continued progress made within the period.	
Reason(s) A comprehensive approach to property compliance is being undertaken and enshrined in a series of assurance frameworks detailing the controls and ‘three lines of defense’ that are in place to ensure the health and safety of residents and their homes. A detailed compliance report is provided to Assurance Board on a monthly basis which covers the main areas of property health and safety which demonstrates compliance with statutory requirements. Both external and internal audits of aspects of property compliance are undertaken regularly.	

1. Introduction

1.1 As a registered provider, LBBD is required to comply with the consumer standards, including the Home Standard which requires LBBD to have a cost-effective repairs and maintenance service and to meet all applicable statutory requirements that provide for the health and safety of tenants in their homes. An independent audit undertaken by Pennington Choices raised several areas that needed urgent action:

- Duty Holder Clarity – clear roles, policies, working responsibilities between LBBD (duty holder) & BDMS (contractor)
- Data Validation – ensuring that all properties with a compliance obligation are included on the relevant program.
- Data management – compliance programs, data and records are held and managed in a suitable IT system.
- Policies, processes, and procedures – comprehensive set of P&Ps that detail LBBD's obligations and approach to compliance
- Structure and operational delivery – ensuring compliance team has the necessary technical competence and capabilities.
- Individual compliance areas – take appropriate action asap to address weaknesses in each compliance area.

1.2 An action plan was devised, agreed and has been completed addressing the points raised in the Pennington Choices health check.

2. Health And Safety Reporting

2.1 All communal electrical testing inspections have been completed. These were completed ahead of time.

2.2 The domestic electrical programme entered its third phase in June 2023. This is a three-year program with an intended completion date of June 2026. However, based on current trajectory we will achieve completion by end of December 2024.

2.3 We continue to maintain a 100% success rate of Fire Risk Assessments (FRAs).

3. Compliance

3.1 The Council has a duty of care and a legal responsibility to ensure that all buildings and properties under its control are maintained so that they remain safe places for customers to live.

3.2 The Council recognises that the delivery of compliance servicing regimes is essential in meeting those responsibilities.

3.3 Our six core areas of compliance are:

- Electrical;
- Legionella;
- Asbestos;
- Lifts;
- Gas; and

- Fire Safety.

The performance of each of these areas is included in the charts below.

4. Performance Reporting

4.1 This report provides an update on the performance in dealing with the compliance activity. Please see the attached charts and tables that demonstrate performance.

January 2023-2024 HRA - Electrical Compliance Summary Performance

Area	Electrical Contractor	Phase-3 Program	Phase-3 Program less Sold Properties	No. Expected Monthly	Complete M10	Expected at Q4	Total No. Completed to Date in Q4	Program % Complete
Dwellings	Wiggett	3,399	3,342	97	268	1,164	1,444	43.21%
	NRT	4,459	4,441	124	359	1,488	2,815	63.39%
	Aaron	3,601	3,562	100	129	1,200	2,493	69.99%
	Niblock	3,502	3,483	97	245	1,164	1,779	51.08%
	Total	15,073	14,828	418	1,001	5,016	8,531	57.53%
Commercial	Purdy	440	351	36	0	351	351	100%
	ETM	502	419	42	2	419	414	100%
	Total	942	770	78	2	770	7	100%

EICR program

We continue to successfully deliver our five-year global domestic electrical testing program.

As can be seen from the chart above we are currently operating 70% above our target figure of 5016 completions by the end of Q4, March 2024 having already completed 8,531; however, we have already completed 8,531. Weekly contract (70%) above the target set for M10 January 2024. Robust weekly contract management arrangements are in place to monitor individual contractor performance.

Gas Safety Inspections

23 Gas safety inspection certificates failed to be uploaded by BDMS by the cut off date. The inspections were completed in time. Our performance in this area is therefore currently 99.85%.

Water Hygiene

15 water risk assessments (WRA) were out of target at the end of January these are scheduled for completion by the end of February 2024.

Action Priority						
Overdue Actions						
Action Type	A	B	C	Man1	Man2	Grand Total
<i>Certification Check</i>					3	3
<i>Contractor Action</i>	864	31	9			904
<i>Inspection, Testing and Maintenance</i>				4	4	8
<i>Policy/Procedure</i>				1	9	10
<i>Site Check</i>					145	145
<i>Specialist Survey/Assessment</i>					21	21
<i>Staff Action</i>				3		3
Grand Total	864	31	9	8	182	1094

LOLER

4 Passenger lifts had out of date certificates at the end of January 2024. These are six monthly inspections. Improved access arrangements have been agreed with the contractor Zurich to prevent future missed appointments. All certificates will be in place by the end of February 2024.

FRA Remedial Actions

A total of 23,859 FRA remedial actions have been raised since March 2022, when the FRA program was initiated. 19,799 (83%) of these remedial actions have been completed. 435 of the remaining 4060 remedial actions are categorized as optional. 1094 are overdue for completion. These form part of a planned program of works and are mitigated.

Public Background Papers Used in the Preparation of the Report: None

List of appendices:

Appendix A – Compliance performance Report

Appendix B – Compliance Table