

Housing Management Services Housing Revenue Account (HRA) Landlord Compliance Report

Executive summary

The purpose of this report is to update the Corporate Leadership Team (CLT), Housing Board and the Environment Select Committee (ESC) on the main compliance disciplines associated with the council's landlord role in the provision of social housing. The scope covers the land and property assets in the Housing Revenue Account (HRA) managed by Housing Management Services (HMS).

The landlord compliance function for the HRA was fully reviewed in 2023 and a plan of improvement has been in place over the last 12 months. Compliance activity is now considered, delivered and reported against the following governing framework:

- Policy
- Procedures
- Performance
- Internal Assurance
- External Assurance

This report represents one of the key governance steps in ensuring that the council and the Housing Board are fully briefed on compliance activity and performance.

The service is reporting a high level of performance against the key compliance indicators. Where compliance is not 100% the service has a full and detailed understanding of why, and plans are developed to improve performance towards achieving that goal.

The service continues to promote a culture of check and challenge throughout all areas of the compliance framework and continues to make improvements to delivery and performance in this field.

Proposal

That the committee:

- a) Is asked to note the contents of the report and progress being made.

Reason for proposal

To provide assurance around the council's landlord responsibilities.

Author:

Deana Hitchins, Compliance and Servicing Officer
Kevin Butcher, Property and Contracts Manager
Nick Darbyshire, Head of Strategic Assets Maintenance and Facilities Management (SAM&FM) and Housing Management Services

Housing Management Services Housing Revenue Account (HRA) Landlord Compliance Report

1. Purpose of report

- 1.1 The purpose of this report is to update the Corporate Leadership Team (CLT), Housing Board and the Environment Select Committee (ESC) on the main compliance disciplines associated with the council's landlord role in the provision of social housing. The scope covers the land and property assets in the Housing Revenue Account (HRA) managed by Housing Management Services (HMS).

2. Background

- 2.1 As a provider of social housing the council is responsible for the repair, maintenance and compliance of houses, communal blocks and sheltered living schemes contained within the HRA. Within this estate there are approximately 5,300 individual dwellings.
- 2.2 Compliance refers to the adherence of housing providers to legal and regulatory standards to ensure tenant safety, health and wellbeing. There are key areas of requirement known as 'the big 6' that are gas, electrical, fire safety, asbestos management, water safety, and the provisions of lifts. There are also a variety of other responsibilities relating to issues such as damp and mould, exterior H&S, log burners etc.
- 2.3 The Regulator of Social Housing (RSH) oversees these obligations mandating that providers maintain properties to the Decent Homes Standard and in line with the Housing Health & Safety Rating System (HHSRS). The RSH also requires landlords to undertake regular condition and safety checks of all properties in addition to those checks required to satisfy the standards of the specific areas of compliance.
- 2.4 As well as putting tenants at risk of harm, if the council fails to maintain compliance we can face penalties from the RSH, and poor regulatory assessment which can damage the council's reputation. Other consequences include enforcement notices from governing bodies mandating corrective actions. In severe cases where tenant safety is at risk the RSH can appoint new management. Non-compliance can also result in legal action and potential compensation claims.
- 2.5 A structured approach is required to provide the highest levels of assurance. Compliance activity is considered, delivered and reported against the following governing framework:
- Policy
 - Procedures

- Performance
- Internal Assurance
- External Assurance

Main considerations for the committee

3. Policy

- 3.1 Over the last 12 months the Landlord Compliance Policy Framework has been reviewed and revised. Key policies have been re-written then considered and ratified by the Housing Board. Each policy has a corresponding procedures document which has also been ratified.

Compliance policies and procedures approved by the Board in the last 12 months are:

- Fire Safety Policy & Procedure which includes
 - Fire Risk Assessment
 - Carbon Monoxide Detector
 - Smoke Detector
 - Fire Door
 - Emergency Lighting
 - Legionella Water & Hygiene Policy & Procedure
 - Gas Safety Inspection & Servicing Policy & Procedure
 - Damp & Mould Policy & Procedure
 - Asbestos Policy & Procedure
 - Electrical Safety Policy & Procedure
 - Radon Policy & Procedure
- 3.2 Further compliance policies listed below will be drafted and presented to future Housing Boards.
- H&S Policy
 - Automatic Doors Policy
 - Lifts & Hoists Policy & Procedure
 - Solid Fuel Heating Policy
 - Log Burner Policy
- 3.3 Where appropriate, the Housing Board are invited to contribute to the development of policy and procedures. However, the key drivers behind all compliance policies are regulation and legislation and therefore the ability to influence policy is limited.
- 3.4 Awaab's Law is legislation aimed at improving housing standards and tenant safety, named after Awaab Ishak, who died due to mould-related issues in his social housing home. The law will require landlords to address health and safety concerns and hazards (as identified in the Housing Health & Safety Rating System HHSRS, including damp and mould) within strict timeframes after being reported. It emphasises proactive measures to ensure safe living

conditions and strengthens tenants' rights to hold landlords accountable. The legislation also encourages local authorities to prioritise housing inspections. Overall, Awaab's Law seeks to enhance housing quality and protect tenants from health hazards related to poor living conditions.

- 3.5 The consultation period has now closed. An update is awaited from the new government as to when the secondary legislation to bring Awaab's Law into force will be passed. Clause 42 of the Social Housing Regulations Act 2023 insets into Social Housing tenancy agreements implied terms that will require landlords to comply with new requirements. The secondary legislation will require landlords to inspect and repair hazards within prescribed timescales. Failure to meet those timescales will enable tenants to take action against the landlord for breach of contract.
- 3.6 While there may yet be final changes to the timescales and the requirements placed on landlords, the current indication is that our policies and procedures will meet the criteria placed upon the council when Awaab's Law is passed. A full review to provide assurance on our compliance levels will be undertaken and any necessary policy and procedural amendments implemented.

4. Procedures

- 4.1 The overall procedures for managing compliance include:
- Data to ensure full knowledge of what is required.
 - Delivery of compliance activity in all areas – inspection, testing, identification and completion of remedial works.
 - Consistently and accurately recording all of that activity.
 - Consistent performance review.
 - Regular reporting of performance.
 - Providing scrutiny and challenge.
 - Providing assurance on activity and performance to all stakeholders.
- 4.2 A HRA Compliance Dashboard has been developed that draws together performance information relating to the compliance areas. This includes comprehensive information on the big 6 and is now being developed to include other areas of interest.
- 4.3 Due to the increased number of cases, the level of concern and the need for consistent attention concerning Damp and Mould, information in this area is now included in the Dashboard. This ensures that the number, severity and status of cases is under constant review.
- 4.4 The management of compliance activity sits within the Property Maintenance section of the Housing Management Service (HMS). Responsibility for the day-to-day management rests with the Property & Contracts Manager. Within the team, delivery is overseen through the Compliance & Servicing Officer and Health and Safety Advisor. Officers from across the wider service contribute to the monitoring and delivering of compliance activity.
- 4.5 The majority of compliance-related work is contracted to specialist providers. Policy and standards are delivered through the various contract specifications.

Contractors are monitored and performance managed using contract tools and mechanisms.

- 4.6 The management and delivery of work programmes, reporting and monitoring activities are driven by the data in the housing management system.
- 4.7 Processes and procedures exist for delivering and monitoring compliance in all key areas, through contract specifications, the monitoring and management of those contracts, and through the work of Property Maintenance Team.
- 4.8 There were 3 specific areas identified in the overall review last year that required improvement. These were:
- Electrical Installation Certificate Reports – our programme with our contractor provided for Electrical Installation Condition Reports (EICR) to be undertaken in the 5th year meaning that a proportion of EICRs went beyond their 5-year anniversary. A revised approach was agreed and implemented whereby EICRs are now undertaken on or before the 5-year anniversary.
 - Fire Risk Assessments – improvements to the recording and reporting system were required. The system has been improved and now includes data relating to the remedial actions that are identified from each FRA. We are now able to monitor and report on the completion of those remedials against timescale.
 - Fire Doors – an inspection and reporting system needed to be developed in response to changes in legislation and the requirement on the landlord. All fire doors have now been surveyed and asset-tagged and a system implemented to inspect doors on an annual basis. The service is now looking to take this activity in-house and employ Compliance Technicians to deliver these inspections and other areas of compliance testing and inspections. Recruitment will take place in early 2025.

5. Performance

- 5.5 Current performance across all areas is detailed in section 8 below.
- 5.6 To further strengthen the information held on compliance, performance against the Decent Homes Standard, and general knowledge of property-base Stock Condition Surveys (SCS) are being undertaken across all properties. 1,700 surveys have been commissioned from an external provider that will be completed early in 2025. Thereafter the remaining properties will be surveyed either by external providers or using in-house resources.
- 5.7 As well as information on the overall condition and an Energy Performance Certificate (EPC) inspection for each property, a HHSRS assessment is also being carried out which provide further assurance about compliance levels across the property-base.
- 5.8 One of the key challenges in achieving 100% compliance obtaining timely access to properties. Some tenants are increasingly 'hard to reach' due to

vulnerabilities and/or require significant housing tenancy interventions in order for them to agree to allow access into their property. Without access, compliance activity cannot be delivered.

- 5.9 The service has an effective escalation process in place in order to try and achieve access. Tenants are notified in advance of scheduled compliance visits and activity. Reminders are sent in the lead up to the visit. If no access is obtained, a series of letters are sent and notices hand-delivered in order to secure agreement for a compliance visit. Finally, if all other means have proven unsuccessful, legal enforcement routes will be considered.

6. Internal Assurance

- 6.1 Regular meetings and reporting practices have been implemented. Monthly Compliance Meetings take place chaired and managed by the Property Maintenance Team. The Director of Assets and Head of SAM&FM & Housing Management Services are invitees. Each meeting consists of a review of all compliance policy, procedures and performance, and a monthly report is produced.
- 6.2 An six monthly Landlord Compliance Report is produced and presented to CLT, Environment Select Committee and the Housing Board.
- 6.3 A version of the HRA Compliance Dashboard is incorporated into the overall HRA Performance Scorecard. This scorecard is reviewed at the monthly HRA Managers Meeting and is an agenda item at each Housing Board meeting. Performance in the key compliance areas is therefore consistently subjected to management and Board scrutiny.
- 6.4 Performance assurance is provided through the management of the suite of contracts delivered by specialist contractors. Monthly performance meetings with a set agenda are held with all providers. Performance targets are enshrined in the contract specifications. Improvements where required are delivered through contract mechanisms.
- 6.5 In 2024 South West Audit Partnership undertook audits in 2 key compliance areas:

Gas Safety

Audit Objective – to provide assurance that all council-owned HRA properties are safe and compliant with policy and legislation in relation to Gas Safety.

Audit Scope – the following were reviewed:

- The council's gas safety check policy framework and records to ensure compliance with the Buildings Safety Act;
- Records held to support compliance with gas safety checks;
- Management oversight, reporting of KPIs and breaches of regulations;
- Contract management, monitoring and reporting, including assurance over the competency of staff undertaking the checks.

Audit Outcome

- Organisational Risk Assessment – Low

- Assurance Opinion – Reasonable
There is a generally sound system of governance, risk management and control in place.

Audit Action

- Qualification and Registration of Gas Safety Officers (employed by contractor British Gas) – action to check the contractor’s Gas Safe Registration numbers against the National Gas Safe Register to ensure the contractor is qualified and registered to perform gas safety checks.

Action Implemented – quarterly checks being carried out using contractor’s Gas Safe Registration Numbers taken from a sample of Gas Safety Certificates.

Fire Safety

Audit Objective – to provide assurance that all council-owned HRA properties are safe and compliant with policy and legislation in relation to Fire Safety.

Audit Scope – the following were reviewed:

- The council’s policy framework for fire safety checks and compliance with requirements of the H&S at Work Act and Building Safety Act;
- Where records are held to support compliance and fire safety servicing;
- Fire Risk Assessments and routine evacuation procedures are conducted;
- Management oversight, reporting of KPIs, servicing activity, remedials arising and breaches of regulations;
- Contract management, monitoring and reporting, including assurance over the competency of staff undertaking the checks.

Audit Outcome –

- Organisational Risk Assessment – Low
- Assurance Opinion – Reasonable
There is a generally sound system of governance, risk management and control in place.

Audit Actions

- Accuracy and consistency of the HRA Property Database – action to fully review the properties listed in the database to ensure they accurately describe and identify common parts and the fire safety measures in place for each property.
- No clear definitions for each property description particularly for flats and maisonettes – action to agree a clear definition for each property description so the description can be used as a mechanism to identify Fire Safety measures that should be in place for each property.
Actions being implemented following recent receipt of the report.

6.6 Audits will now be carried out on Water Safety and Lifts, to be followed by Electrical Safety and Asbestos Management.

7. External Assurance

- 7.1 A full review of the housing data contained within the QL Housing Management System was commissioned from a consultant provider, Savills, to provide feedback on data quality, validate the current compliance activity and identify any data gaps.
- 7.2 The assessment commended Wiltshire Council for its effort and performance in establishing a comprehensive compliance dataset and accurately reporting on landlord compliance obligations. The data assessment produced a minimal number of queries for investigation, suggesting manageable workload for the Compliance Team.
- 7.3 To maintain and build on its current strong position, the Council will continue to conduct regular Landlord Compliance Data Validation and Reconciliation activities. These processes will be documented within management plans and a dedicated compliance reporting framework to ensure auditability, repeatability, and accountability are met. This will ensure clear evidence trails,
- 7.4 Within the provisions of all compliance contracts, the Landlord has the right to appoint an independent auditor to undertake quality assurance works. Audits of the key compliance areas will be considered over the next 12 months.
- 7.5 In respect of specialist supplier of gas safety works, the supplier is externally audited by Qualitas. This provides the contractor with a quality standard and assurance for its clients.
- 7.6 Future work will commission third party assurance across all compliance disciplines, this activity is included in the service action plan.

8. Compliance Performance

Note – the following performance data is captured as at 31st October 2024.

8.1 Asbestos Management

Policy, Legislation & Regulation

Wiltshire Council has a legal duty to manage asbestos containing materials within areas deemed as domestic and non-domestic, as outlined in Regulation 4 of the Control of Asbestos Regulations 2012 (CAR2012). It should be noted that any domestic property where works are to be undertaken is deemed as a workplace under the Health and Safety at Work Act 1974, and therefore will require asbestos information to be supplied as part of the pre-construction information. This is a requirement of the Construction (Design and Management) Regulations 2015 (CDM 2015).

The Housing Management Service (HMS) holds asbestos information on its housing stock in the form of a detailed asbestos register. Every property where asbestos is present is on the register. In addition, a library of asbestos surveys for each property is maintained. All surveys are undertaken on a cyclical 4-yearly basis. Additional surveys will also be undertaken when major refurbishments, demolition or other major construction works are required in a property when asbestos-containing materials are most likely to be disturbed.

All surveys are accessible by all internal and external maintenance providers and are suitable to guide all works. All void properties have a current asbestos management survey prior to re-letting.

Procedures & Delivery

Asbestos management activities, surveys, re-inspections, and removals are delivered through contracts with specialist Asbestos providers. Delivery standards are monitored and maintained in accordance with these contracts.

Performance

The following table shows the current position for asbestos surveys undertaken.

Property Type	Number of Properties	Number Surveyed	Percentage Surveyed
Communal Areas	384	384	100%
Dwellings	5294	5269	99.56%
Garages	1235	1218	98.62%

8.2 Electrical Safety

Policy, Legislation & Regulation

Electrical safety checks are delivered for all property types in the housing stock. While there is currently no legislative standard for social landlords, it is generally accepted and demanded that electrical inspections in the form of Electrical Installation Condition Report (EICR) are undertaken every 5 years.

This is in line with accepted sector practice and the standards required in the Private Rented Sector. It is anticipated that this will soon become an expressed legal requirement for social landlords in the near future.

The provision of EICRs is through a contract. Previously the contract provision was to agree an annual programme with the provider for all EICRs reaching their 5-year anniversary in the forthcoming year. Depending on the delivery programme this meant that some inspections were carried out beyond the 5-year mark. Whilst this did not constitute a statutory breach, under the new contract HMS is improving on this approach and ensuring that all inspections are completed on or before the 5-year anniversary.

The 5-year target applies to all domestic dwellings and the common parts (communal areas) of flats and other grouped dwellings. All void properties receive an inspection before re-letting regardless of the age of the current EICR.

The target is to achieve 100% compliance. This includes undertaking remedial works against prescribed timescales:

- C1 Hazards (Danger present – risk of injury) – undertaken at the time of the inspection or if they cannot be rectified the area is made safe until works can be completed.

- C2 Hazards (Potentially dangerous) – undertaken at the time of the inspection or as soon as is practicably possible.
- C3 Hazards (improvement recommended) – undertaken within 28 days of the inspection.

Procedures & Delivery

Electrical inspections (EICRs) as well as all remedials and planned electrical works are delivered through a contract with a specialist provider. Delivery standards are monitored and maintained in accordance with these contracts. The provider also delivers further compliance activity including Portable Appliance Testing in Sheltered Schemes (see below).

Performance

The following table shows the current position for electrical inspections:

Property Type	Number of Properties	Number Inspected 0-5 Years	Number Inspected 5-6 Years	Number Inspected 6-10 Years	Percentage within 0-5 Years
Dwellings: Oct 2024	5315	5239	58	18	98.40%
Dwellings: Dec 2023	5294	4813	413	68	90.91%
Sheltered schemes	24	24	N/A	N/A	100%

Note performance improvement since the last period.

Portable Appliance Testing (PAT) is a not mandatory by law, however testing and maintaining electrical equipment is. The Health and Safety at Work Act 1974, Electricity at Work Regulations 1989, Provision and Use of Work Equipment Regulations 1988, and the Management of Health and Safety Regulations 1999 to ensure electrical safety of portable electrical appliances.

Following best practice electronics in the communal areas in sheltered schemes are tested every 12 months.

In addition, there are 8 assisted needs properties occupied by tenants with high care needs, where care staff regularly reside and cater for the tenants.

PAT is undertaken in these 8 properties every 12 months.

Property Type	Number of Properties	Number Tested	Percentage
Dwellings	24	24	100%
Assisted needs Properties	8	7	87.5%

Note – the outstanding test on one property is on a programme of work to be completed in the next period.

8.3 Fire Safety – Fire Risk Assessment

Policy, Legislation & Regulation

The Chief Executive is Wiltshire Council's responsible person – as defined in Article 3 of the Regulatory Reform (Fire Safety) Order 2005 (RRFSO2005). Article 9 of the RRFSO2005 requires that the responsible person must make a suitable and sufficient assessment of the risks to which relevant persons are exposed for the purpose of identifying the measures they need to take. To satisfy this requirement, Wiltshire Council undertakes fire risk assessments to all properties deemed as non-domestic, including the communal areas of domestic buildings. Current legislation states that Fire Risk Assessments should be reviewed regularly or when circumstances change relating to the property and/or its occupants.

The duty to ensure that Article 9 of the RRFSO2005 is met is the responsibility of the Director of Assets. Wiltshire Council has a Fire Safety Policy and associated Procedures to ensure it manages this compliance activity in its property portfolio safely and in line with relevant legislation.

HMS have adopted the following timescales for fire risk assessment:

- Communal areas to all domestic blocks and sheltered schemes – Every three years with an annual review.

Note – all HRA blocks are 'low rise' (the majority of which are two storey), are mainly of traditional construction, and do not have any aluminium composite material (ACM) type cladding. Multi-occupied residential buildings of 11 metres or more are not high rise but do have a range of additional fire safety requirements. There are 3 blocks in Salisbury that are 4 storeys. Although these blocks are less than 11 metres in height, for fire safety reasons they are treated as if they were. It should also be noted that Section 156 of the Building Safety Act that came into effect 1st October is being adhered to.

Procedures & Delivery

FRA's are currently delivered for HMS by the council's Building Control Team. All remedial actions raised from FRA's are validated, and required works are commissioned and managed by the HMS Health & Safety Officer. Works are delivered by the in-house team and specialist contractors as appropriate. Any defects which pose immediate danger, either urgent or high priority are prioritised and within two months. The remaining actions are prioritised for completion within six months.

Performance

The following table shows the current position for fire risk assessments:

Property Account Type	Number of Properties	Number of Current FRAs	Percentage Compliant
Blocks and Sheltered Schemes	217	217	100%

Notes:

The remedial actions from FRAs are held in the QL system and reported through the Compliance Dashboard.

	Low			Medium			High		
	On Time	Not On time	Total	On Time	Not On Time	Total	On Time	Not On Time	Total
Outstanding FRA Actions	0	0	0	24	0	24	0	1	1
Completed FRA Actions (last 6 months)	3	0	3	82	77	159	7	62	69
Completed FRA Actions (last 12 months)	8	0	8	236	78	314	37	94	131

8.4 Fire Safety – Emergency Lighting/Fire Alarms

Policy, Legislation & Regulation

The requirements for the testing of emergency lighting are covered by the Regulatory Reform (Fire Safety) Order 2005, the Building Regulations 2006, The Workplace Directive and British Standard BS 5266-1.

Emergency Lighting is provided in all blocks, and grouped accommodations including Sheltered Schemes, a total of 217 sites. Across all sites a monthly 'flick test' of lighting and an annual drain-down battery test is delivered.

Fire alarms are provided in 24 of the 26 Sheltered Schemes. 2 Sheltered Schemes do not have fire alarms as they consist of separate bungalow units.

Across the 24 sites a weekly test of the alarm and the whole system, including the fire heads is tested every 6 months.

Procedures & Delivery

Fire alarm and emergency lighting testing is delivered through a contract with specialist providers. Delivery standards are monitored and maintained in accordance with these contracts. Any remedial repairs are undertaken at the time of the inspection or at the next earliest opportunity. In respect of fire alarms, a site will not be left without a functioning alarm system.

Performance

Property Type	Inspection Type	Number of Properties	Percentage Surveyed
Sheltered Schemes	Fire Alarm: weekly test	24	100%
	Fire Alarm: 6-monthly service and test	24	100%
	Emergency Lighting: monthly service and test	217	100%

Sheltered Schemes & Blocks	Emergency Lighting: annual service and test	217	100%
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8.5 **Fire Safety – Smoke Alarms**

Policy, Legislation & Regulation

The requirements covering the provision of smoke alarms are contained in the Smoke & Carbon Monoxide Alarm (England) Regulations 2015, amended in 2022. The regulations state that landlords must:

- Ensure at least one smoke alarm is equipped on each storey of the home where there is a room used as living accommodation.

Smoke alarms are provided as per these regulations. There is no requirement on the landlord to test smoke alarms. This is a tenant responsibility. However the HMS policy and target is to test annually.

Procedures & Delivery

The testing of smoke alarms is delivered through a contract with a specialist provider. The testing is carried out annually. In properties that have gas, oil, or solid fuel heating systems the annual smoke alarm test is delivered by the contractor as part of the annual safety inspection of the heating system. In properties that have electric heating the smoke alarm test is delivered by to a specific annual programme. Delivery standards are monitored and maintained in accordance with these contracts. A programme of work is underway to replace all battery smoke alarms with alarms hard-wired into the mains electricity.

Performance

Property Type	Number of Properties with Smoke Alarms	Number of properties Tested	Percentage
Dwellings	5315	5058	95.16%
Sheltered Schemes	24	24	100%

Note: 100% compliance is not expected in this area, the main reason being that if a property is due a 5-yearly EICR test in the coming year, the test of the smoke alarm will be removed from the individual programme and added to the EICR programme. This reduces the number of appointments for the tenant and reduces cost. Therefore, a small number of alarms are tested beyond the 12-month anniversary, but always within 2 years.

8.6 **Fire Safety – Fire Doors**

Policy, Legislation & Regulation

As part of the Regulatory Reform Order 2005, amended by the Fire Safety Act 2022, there is a mandatory requirement for the landlord to provide fire doors

that have a 30-minute resistance (FD30 door). This requirement is for doors to individual dwellings and communal fire doors in grouped accommodations.

This requirement extends to leaseholders as well as HRA tenants. It is the responsibility of the leaseholder to provide, however the HMS has a duty to enforce.

Under legislation, fire doors in social housing should be inspected regularly as part of the broad approach to fire risk and safety. The specific frequency can vary, but general guidance suggests that fire doors should be inspected annually, but more frequent inspections may be warranted based on the building's use, occupancy, and previous inspection results.

Procedures & Delivery

Throughout 2023 we surveyed the asset base to identify every fire door required. Each door has been given a property ID. An App connected to the QL system has been developed to provide a tablet-based means of conducting a fire door inspection against the 5 main fire safety criteria. Over the last 12 months and ongoing, the App and the inspections are being carried out and will continue on an annual rolling programme. The inspections are being carried out by the in-house team. Where defects are identified, these are added to existing contractor workstreams.

Performance

Property Type	No of Fire Doors	No of Inspections carried out	Outstanding Inspections	Percentage
Dwellings	975	218	757	22.36%

8.7 Gas Safety – Annual Safety Inspection

Policy, Legislation & Regulation

Wiltshire Council has a duty under Regulation 36 of the Gas Safety (Installation and Use) Regulations 1988 to carry out annual safety checks on gas appliances / flues and implement an on-going maintenance regime to ensure the safe operation of gas appliances and associated pipework where gas is present.

Landlord Gas Safety Record (LGSR) certificates (referred to as CP12) are provided to tenants following gas safety checks.

Procedures & Delivery

The LGSR certificates, servicing and repairs of all gas boilers, and the LGSR certificates for gas appliances and systems, are delivered through a contract with a specialist provider. The same provider also delivers a programme of planned boiler replacements. Delivery standards are monitored and maintained in accordance with these contracts.

Performance

The following table shows the current position for gas safety:

Property Type	Number of Properties with Gas	Number Inspected	Percentage Compliant
Sheltered Scheme	6	6	100%
Dwellings	3825	3823	99.95%

Note – the outstanding test on the two properties are on a programme of work to be completed in the next period.

8.8 Solid Fuel Heating Safety

Policy, Legislation & Regulation

A number of the dwellings are heated by various solid fuel heating systems including. The landlord requirements for these systems are contained within the Heating Equipment Testing & Approval Scheme (HETAS). HMS policy is to undertake 6-monthly service of the boiler and system, and a safety check on flues and chimneys.

Procedures & Delivery

The servicing and repairs of all solid fuel heating and hot water systems are delivered through a contract with a specialist provider. Delivery standards are monitored and maintained in accordance with these contracts.

Performance

The following table shows the current position for solid fuel safety:

Property Type	Number of Properties with Solid Fuel	Number Inspected	Percentage Compliant
Dwellings	34	32	94.12%

Note – the outstanding test on the two properties are on a programme of work to be completed in the next period

8.9 Oil-Based Heating Systems

Policy, Legislation & Regulation

There is no legal requirement for a landlord to obtain a safety certificate for oil fired equipment. However BS 5410: Part 1 requires oil fired appliances and equipment to be serviced periodically. HMS policy is to service boilers and appliances annually.

Procedures & Delivery

The servicing and repairs of all oil fired heating and hot water systems are delivered through a contract with a specialist provider. Delivery standards are monitored and maintained in accordance with these contracts.

Performance

Property Type	Number of Properties with Oil	Number Inspected	Percentage Compliant
Dwellings	229	229	100%
Sheltered Scheme	1	1	100%

Note – the outstanding test on the one property is on a programme of work to be completed in the next period.

8.10 Gas/Solid Fuel/Oil Heating System – Carbon Monoxide Alarm Testing

Policy, Legislation & Regulation

The requirements covering the provision of carbon monoxide alarms are contained in the Smoke & Carbon Monoxide Alarm (England) Regulations 2015, amended in 2022. The regulations state that landlords must:

- Ensure a carbon monoxide (CO) alarm is provided in any room used as living accommodation which contains a fixed combustion appliance (excluding gas cookers).
- Ensure that carbon monoxide alarms are repaired or replaced once informed and/or found that they are faulty.

CO alarms are provided as per these regulations. Combined heat detectors and CO alarms are provided in kitchens. CO alarms are provided in all properties where there is a gas, solid fuel, or oil heating appliance situated within a habitable room/living accommodation. A programme of work is underway to replace all battery alarms with alarms hard-wired into the mains electricity.

Procedures & Delivery

The testing of CO alarms is delivered through a contract with a specialist provider. The testing is carried out at the same time and as an integral part of as the annual gas safety inspection. Delivery standards are monitored and maintained in accordance with these contracts.

Performance

Property Account Type	Number of Properties requiring CO Alarm	Number of Co Alarm fitted.	Percentage
Dwellings	4065	4064	99.98%

Note – the outstanding test on the one property is on a programme of work to be completed in the next period.

8.11 Passenger Lifts and Stairlifts

Policy, Legislation & Regulation

The landlord's responsibilities are contained within the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER). This covers the servicing, inspection and maintenance of passenger lifts and stairlifts.

The following intervals for service and inspection apply:

- Stairlifts – annual service and inspection.
- Passenger lifts and through-floor lifts – 6 monthly service and inspection.

Procedures & Delivery

The servicing and inspections, and repairs and maintenance, of stairlifts, passenger lifts and through-floor lifts are delivered through contracts with specialist providers. Delivery standards are monitored and maintained in accordance with these contracts.

Performance

The following table shows the current position for passenger lifts and stairlifts service and inspection:

Property Type	Inspection Type	Number of Properties	Number Inspected	Percentage Compliant
Dwellings	Stairlifts: annual service and inspection	55	52	94.55%
Dwellings	Through-floor lifts: 6 monthly service and inspection	5	4	80%
Sheltered Schemes	Stairlifts: annual service and inspection	6	6	100%
Sheltered Schemes	Passenger lifts: 6 monthly service and inspection	11	11	100%

Note – the outstanding test on the three properties are on a programme of work to be completed in the next period.

8.12 Water Supply

Policy, Legislation & Regulation

The Control of Substances Hazardous to Health Regulations 2002 and the HSE Approved Code of Practice (L8) The Control of Legionella Bacteria in Water Systems identifies the landlord's requirement to minimise the potential of legionella growth within its stock, including communal areas. This applies to the Sheltered Schemes only. HMS policy is to provide a risk assessment for each site supported by Written Scheme For The Control of Legionella S.156 detailing our actions resulting from the risk assessment. In accordance with HSE ACoP and Guidance L8, risk assessments are reviewed following a change of use or the delivery of major works.

Procedures & Delivery

Weekly flushing and temperatures tests, and the annual servicing of Thermostatic Mixing Valves (TMVs) are undertaken by a specialist contractor.

Delivery standards are monitored and maintained in accordance with these contracts.

Performance

The following table shows the current performance for Water Risk Assessments:

Property Type	Properties Requiring a Water Risk Assessment	Properties with a Water Risk Assessment	Percentage Compliant
Sheltered Schemes	23	23	100%

The following table shows the current performance for monthly temperature tests:

Property Type	Properties Requiring a 6 Monthly Temperature Check	Properties Tested	Percentage Compliant
Sheltered Schemes	23	23	100%

8.13 Air Source Heat Pumps

Policy, Legislation & Regulation

There is currently no regulation or legislation governing the servicing and inspection of Air Source Heat Pumps. HMS policy is to service ASHPs on an annual basis and for further inspection of the electrical system as part of the 5-yearly EICR.

Procedures & Delivery

The servicing and repairs of all ASHPs is delivered through a contract with a specialist provider. Delivery standards are monitored and maintained in accordance with these contracts.

Performance

Property Type	Number of Properties	Number inspected	Percentage
Dwellings	77	75	97.40%

Note – the outstanding test on the two properties are on a programme of work to be completed in the next period.

8.14 Radon Safety

Policy, Legislation & Regulation

The landlord requirements for Radon safety are contained in the Ionising Radiation Regulations 2017. The Radon Action Level is the recommended limit for the activity concentration of radon in UK homes. The Radon Action

Level is 200 Bq m⁻³, expressed as the annual average radon gas concentration in the home. Radon Affected Areas are those parts of the country with a 1% probability or more of present or future homes being above the Action Level. Radon UK publishes a map of the UK which shows the parts of Wiltshire that are within higher risk areas.

Procedures & Delivery

There are currently no HRA properties in higher risk areas that are above the Action Level threshold. Working with the Public Protection Service, this position is routinely reviewed. Should the position change and properties fall above the threshold, monitoring procedures will be implemented.

Performance

None to report.

8.15 Damp & Mould

Policy, Legislation & Regulation

The profile and focus on this issue continues to be high and the number of reported cases has increased as public awareness increases. Clear guidance has been issued by the Housing Ombudsman and Regulator of Social Housing identifying the expectations on landlords in managing damp and mould reports. Damp and mould is one of the 29 hazards assessed under the Housing Health & Safety Rating System (HHSRS), a tool used to assess risks in residential properties. As such it requires the landlord to act, or to ensure that action is taken, to manage the hazard.

Procedures & Delivery

HMS reviewed its policy and procedures in 2022. As well as Property Maintenance staff, all frontline staff across the service have received damp and mould training to raise awareness and to help identify potential cases. Procedures ensure that tenants are contacted and reports inspected within a target of 7 days, and action plans agreed to tackle each case are developed and communicated with each tenant.

All reports referencing the words ‘damp’ or ‘mould’ are initially treated as Cases regardless of severity. Once each report has been investigated actions are agreed. Minor cases can be closed once actions have been delivered and reviewed. More complex cases can take years to fully resolve. The speed and scale of actions are commensurate with the severity of each case. At the most severe end of scale, a tenant can be decanted to another property while emergency works are undertaken if it was considered that the tenant was at risk. It should be noted that this measure has not been required to date.

A rating system has been developed to assess the severity and therefore risk of each case.

Level 1: Minimal	<ul style="list-style-type: none"> • Limited presence of dampness or mould, usually confined to small, isolated areas. • No significant impact on indoor air quality or health. • Easily manageable with minor repairs or living adjustments.
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Level 2: Mild	<ul style="list-style-type: none"> • Dampness or mould affecting larger areas but still localized within rooms. • Slight impact on indoor air quality, potentially causing minor discomfort or irritation. • Requires moderate intervention such as targeted repairs and improved ventilation or Moderate Living adjustments.
Level 3: Moderate	<ul style="list-style-type: none"> • Moderate presence of dampness or mould spreading across multiple rooms or surfaces. • Noticeable impact on indoor air quality, leading to increased risk of respiratory issues or allergies. • Requires significant intervention, including repairs, moisture control measures, Or major Living adjustments.
Level 4: Severe	<ul style="list-style-type: none"> • Severe dampness or extensive mould growth throughout the property. • Significant deterioration of building materials and indoor air quality, posing serious health risks to occupants. • Urgent action needed, involving comprehensive remediation, structural repairs, and health assessments for affected individuals. • Possible need to be moved into alternative accommodation whilst work is carried out.
Level 5: Critical	<ul style="list-style-type: none"> • Extreme dampness or widespread mould infestation compromising the structural integrity of the building. • Severe health hazards, including respiratory illnesses, fungal infections, and other mould-related ailments. • Immediate and extensive intervention required, possibly involving evacuation, building renovation, and professional remediation services.

Performance

The key target is to carry out inspections, and thereby understand the severity and risk of each report, within 7 days. The volume of reports over the autumn and winter have meant that this target has not been achieved, with the average being 11 days. For context, it should be noted that the proposed legal requirement on landlords will be to investigate hazards within 14 days.

Where works have been completed, before closure cases go through a monitoring phase to establish whether actions have been effective. Where all works have been completed and problems persist, Tenancy Officers will take on the case and work with tenants to advise and help them with managing moisture levels within the home.

	Level 1	Level 2	Level 3	Level 4	Under Assessment	Total
Monitoring – 1 month	10	7	0	1	0	18
Monitoring – 3 months	22	10	0	0	0	32
Tenancy Cases	3	2	0	1	1	7
Active Cases	189	133	13	3	59	397
Total	224	152	13	5	60	454

Note: of the 59 active cases under assessment, 37 have been reported within the last 14 days. The remaining 22 cases are a combination of difficult to access where tenants are not responding or engaging to provide access to inspect, and cases where we have not managed to respond in an adequate timescale. All of these cases are under review.

9. Environmental impact of the proposal

9.1 Update paper, not a proposal.

10. Equality and diversity impact of the proposal

10.1 Update paper, not a proposal.

11. Risk assessment

11.1 As noted in this report, Wiltshire Council has an obligation to comply with landlord statutory health and safety responsibilities. All of the specific legislative requirements are outlined under the relevant activity areas in this report.

11.2 The property stock portfolio owned by Wiltshire Council is a substantial asset. This report outlines how risks associated with health and safety compliance for this asset base is being managed.

12. Financial implications

12.1 Landlord health and safety property compliance funding costs are incorporated into the HRA revenue and capital budgets.

12.2 Value for Money (VFM) – No particular concerns in relation to this paper.

13. Legal implications

13.1 Covered in the report.

14. Options considered

14.1 Not applicable.

15. Conclusion

15.1 Landlord compliance is an essential focus for the service. The staff and structures of the service are designed to support and deliver full compliance and provide high levels of assurance for tenants and their families, as well as the council and its regulatory stakeholders. This report demonstrates the effectiveness of the policies and procedures and provides high levels of assurance across the key compliance areas. Additionally, it allows the service to better evidence its compliance with the Regulator of Social Housing's Consumer Standards and the expectations of the Housing Ombudsman Service.

Background papers

None

Appendices

None.