

Report of the Chief Executive

COMPLIANCY1. Purpose of report

To inform the committee of the work completed by the housing department to ensure we comply with relevant legislation and keep our tenants safe.

2. Detail

There are a number of roles within the housing department that work to ensure compliancy, including three roles within the compliancy team, and Senior Maintenance Officers for both Gas and Electrical. A structure chart can be found in appendix 2.

The team work closely with the Health and Safety team to ensure that compliancy is achieved in all areas including:

- Gas
- Electrical
- Legionella
- Fire
- Leasehold properties

Further information is included in appendix 1.

3. Financial implications

All compliancy work to Council housing stock is paid from the Housing Revenue Account. Budgets are currently being reviewed in regards to compliancy. It is likely that an increase in budget, particularly for fire safety remedial works will be required in 2021/2022.

Recommendation

The Committee is asked to NOTE the work completed by the housing department

Background papers

Nil

APPENDIX 1Gas

The Senior Maintenance Officer (Gas) takes day-to-day responsibility for ensuring compliance with the Gas Safety (Installation and Use) Regulations 1998 and the Broxtowe Borough Council Gas Policy.

The housing repairs department manages and enforces gas safety and servicing of every relevant gas appliance situated in a council homes and communal areas. This includes properties used for temporary accommodation. The Council is not responsible for the gas appliances in individual leasehold properties.

The Council works to check all relevant gas appliances and flues for safety every 12 months and will hold a valid Landlords Gas Safety Record for each property and communal area. This is to confirm the property is safe and the appliances work in accordance with the manufacturer's instructions. This is a critical success indicator in the Housing Business Plan and is monitored on a daily basis by the Senior Maintenance Officer (Gas).

The process for completing a gas service begins 56 days prior to the due date. This is to allow sufficient time to complete if there are any issues in regards to gaining access to the property. Appointments are made through a telephone call, text, e-mail and letter.

The Council will make all reasonable attempts to gain access to complete a gas safety check. If a tenant fails to provide access to undertake the necessary checks, evidence of attempts and contact with the tenant will be compiled and the case will be referred to the Legal team who will consider issuing a warrant or an injunction to gain access. Legal action will only be taken as a last resort.

An audit, by an external contractor is completed on a monthly basis.

Electrical

The Senior Maintenance Officer (Electrical) takes day-to-day responsibility for Electrical compliancy. There are a number of regulations which the Council must comply with, including:

- The Electrical Equipment (Safety) Regulations 2016.
- Building regulations (including Part P requirements)
- Current edition of the IET Requirements for Electrical Installations (BS7671)
- Electricity at Work Regulations 1989.
- IET Guidance Note 3 – Inspection and Testing

In particular, we are committed to complying with the current edition of the Wiring Regulations. All wiring installations must be designed, constructed, inspected, tested and certified to meet the requirements of BS7671.

An electrical installation is made up of all the fixed electrical wiring and equipment that is supplied from the point of the electricity meter and beyond. Electrical systems will be repaired, renewed, upgraded and tested in accordance with the industry guidance and manufacturers' recommendations. Installations and systems covered include:

- Domestic electrical installations
- Communal landlord installations
- Emergency lighting systems
- Door entry systems
- Electric heating systems, including ground source and air source heat pumps
- Photovoltaic units
- Lighting columns on housing land

It is recommended that an electrical installation in a domestic property is inspected and tested at least every 5 years.

An audit, by an external company, is completed on a regular basis.

Legionella

Legionnaires' disease is the name given to a group of infections caused by Legionella bacteria. Breathing in fine droplets of water contaminated by the bacteria causes the infection. The illness caused by these organisms can range from the potentially fatal pneumonia caused by Legionella pneumophila to the Flu like illness' Pontiac Fever and Lochgoilhead Fever.

The Council is required to consider the risks from Legionella bacteria that may affect either its employees or members of the public and take suitable precautions to protect them. Whereas the housing department has its own policies for managing gas and electrical compliancy, there is a corporate policy for Legionella for all departments to consistently manage this risk.

As an employer and as an organisation in control of premises the Council must:

- Identify and assess sources of risk
- Prepare a management plan for preventing or controlling the risk at each water system
- Implement a suitable management programme and appoint a person to be responsible, referred to as the 'responsible officer'
- Train all relevant employees
- Keep records and check that all actions have been effective

In the housing department the statutory monitoring checks are completed by the Facilities Co-ordinator who works in the compliancy team. They complete tasks such as weekly flushes, monthly temperature checks and quarterly shower cleaning. All checks are documented in the site Legionella logbook.

An audit, by an external contractor, is completed on a monthly basis.

Fire

The Regulatory Reform (Fire Safety) Order 2005 and the Management of Health and Safety at Work Regulations 1999, as amended, require that the main focus of fire safety provision is to protect and save lives. This legislation requires the Council to carry out a suitable and sufficient fire risk assessment of activities to which employees, visitors and other persons, including tenants, are exposed to on all Council premises.

The fire risk assessment must take account of all potential sources of ignition during normal operating times and unsocial hours, all equipment, activities, means of detection, means of escape, fire fighting information and instructions for employees and tenants. Fire risk assessments must be reviewed on an annual basis for Independent Living and every three years for General Needs or if there are significant changes to activities or facilities and after a fire incident.

The Health, Safety and Emergency Planning Manager completes annual fire risk assessments for all Independent Living schemes. The Modernisations Manager completes fire risk assessments for General Needs blocks. The format of the fire risk assessment has recently been reviewed. In July 2020 a new more thorough assessment was introduced. Improved procedures for dealing with any remedial works required are also being developed.

The fire service visits schemes on an ad hoc basis to assess fire risk and mitigations that have been put in place.

Leaseholders

When they purchase their property a leaseholder assumes responsibility for compliancy matters within their property. To mitigate risks the Council requires leaseholders to provide evidence of checks completed in their property.

Leaseholder must also ask for permission to complete alterations in accordance with their lease. This ensures that any changes that are made to are safe, for example the type of door meets current fire safety standards. The Council also updates records regarding the changes.

In 2019 external inspections of leasehold properties were completed to identify any unauthorised alterations that had been completed. The Leasehold Officer regularly reminds Leaseholders through regular news bulletins about compliancy matters, including fire safety.