

BABERGH DISTRICT COUNCIL

TO: Babergh District Council Cabinet	REPORT NUMBER: BCa/23/28
FROM: Cllr Jessie Carter	DATE OF MEETING: 4 th December 2023
OFFICER: Deborah Fenton – Director of Housing	KEY DECISION REF NO. CAB417

Update on the Regulator of Social Housing referral and our current compliance position

1. PURPOSE OF REPORT

- 1.1 To share with members the update on our recent meeting with the Regulator for Social Housing. In addition, to give members an update and context on our compliance report.

2. OPTIONS CONSIDERED

- 2.1 None

3. RECOMMENDATIONS
3.1 That members note the report.
REASON FOR DECISION
To ensure that members and senior leaders of the councils have oversight of the journey with the Regulator back to a position where we are compliant.

4. KEY INFORMATION

- 4.1 Central Government and the English Regulator for Social Housing are in the process of introducing new regulatory requirements on all social landlords, including local authority landlords of more than 1000 properties.
- 4.2 Following the diagnostic exercise on Compliance, which was started in 2020, a referral was made to the Regulator of Social Housing in November 2022 regarding concerns about compliance. As you are aware, this resulted in a regulatory judgement. The CEO, Deputy CEO and Director of Housing meet monthly with the regulator.
- 4.3 Following the commencement of our diagnostic around the compliance and the subsequent referral to the Regulator, significant progress has been made, including the following:
- Recruited a specialist to support us in carrying out procurement
 - Ensuring we have more robust data across all compliance areas, helping us to manage our properties better.
 - Reduction in outstanding compliance actions
 - Appointed a contractor to support us in addressing damp issues
 - Recruited to phase one of our compliance structure
 - Recruited an additional resource to support us in addressing complaints
 - Begun the Asset Management consultation and restructure.
 - Agreed the DLO excellence plan. The consultation with staff will begin in December.

5. REGULATOR FOR SOCIAL HOUSING

5.1 The Regulator for Social Housing is pleased with our progress and continuing plans to deliver full compliance. Meetings are held each month and discussions include:

- Compliance
- Damp and Mould
- Transformation

5.2 Meetings will continue until the Regulator is confident of our return to compliance.

5.3 Our compliance will be reviewed by an external auditor to give us and the Regulator assurance. We are in the process of putting this in place.

6. COMPLIANCE UPDATE

6.1 The table below shows the updated compliance position as of 10th November.

6.2 It should be noted that the increase in some areas of compliance is due to not having the certification in place, the actual outstanding numbers will be available at Cabinet.

6.3 The increase in damp and mould is due to carrying out surveys and asking specific questions regarding damp and mould.

7. CONTRACTOR UPDATE

7.1 Members will be aware that our contract with Aaron Services (whole house contract) ended in August, the new contracts have now been mobilised and are progressing well.

8. LINKS TO CORPORATE PLAN

8.1 This report links with our ambition to ensure that *All our residents live in affordable and high-quality homes that enable them to build settled, safe and healthy lives.*

9. FINANCIAL IMPLICATIONS

9.1 Failure to improve and meet compliance could result in unlimited fines.

10. LEGAL IMPLICATIONS

10.1 Performance measurement is required to ensure members comply with the Consumer Standards within the Regulatory standards. Should the regulations be breached, the RSH may take action, including a fine or removal of assets.

11. RISK MANAGEMENT

11.1 Key risks are set out below:

Key Risk Description	Likelihood 1-4	Impact 1-4	Key Mitigation Measures	Risk Register and Reference*
Information required by the regulator for	2	3	Ensure evidence is stored, updated and can be easily accessed	Housing Transformation 004

compliance cannot be obtained on request, is of poor quality or lacks integrity			through the completion of action plans.	
---	--	--	---	--

*Name of risk register where risk is currently documented and being actively managed, and its reference number

12. CONSULTATIONS

12.1 Consultation has been carried out with SLT, members and the Regulator of Social Housing .

13. EQUALITY ANALYSIS

N/A

14. ENVIRONMENTAL IMPLICATIONS

None

15. APPENDICES

None

16. BACKGROUND DOCUMENT

		NO. OVERDUE @ 24.09.23		NO. OVERDU E @ 01.10.23		NO. OVERDU E @ 08.10.23		NO. OVERDU E @ 15.10.23		NO. OVERDU E @ 03.11.23		NO. OVERDU E @ 10.11.23	
COMPLIANCE AREA													
HEATING													
1	GAS SAFETY CHECK (DOMESTIC) - BABERGH	35	↔	35	↔	22	↓	49	↑	37	↓	41	↑
2	GAS SAFETY CHECK (DOMESTIC) - MID-SUFFOLK	11	↔	11	↔	8	↓	16	↑	19	↑	21	↑
3	GAS SAFETY CHECK (COMMUNAL) - BABERGH	0	√	0	√	0	√	7	↑	7	↔	1	↓
4	GAS SAFETY CHECK (COMMUNAL) - MID SUFFOLK	0	√	0	√	0	√	7	↑	4	↓	0	√
ELECTRICAL													
5	ELECTRICAL TESTING - DOMESTIC DWELLINGS -BABERGH	47	↔	47	↔	47	↔	658	↑	660	↑	648	↓
6	ELECTRICAL TESTING - DOMESTIC DWELLINGS - MID SUFFOLK	83	↔	83	↔	83	↔	529	↑	532	↑	535	↑
7	ELECTRICAL TESTING - COMMUNAL - BABERGH	0	√	0	√	0	√	0	√	22	↑	18	↓
8	ELECTRICAL TESTING - COMMUNAL - MID SUFFOLK	0	√	0	√	0	√	0	√	10	↑	7	↓
FIRE SAFETY													
9	FIRE RISK ASSESSMENTS - BABERGH	0	√	0	√	0	√	0	√	0	√	0	√
10	FIRE RISK ASSESSMENTS - MID SUFFOLK	0	√	0	√	0	√	0	√	0	√	0	√
11	FIRE RISK ASSESSMENT ACTIONS / WORKS BY PRIORITY - BABERGH												
	(Immediate action) AA	0	√	0	√	0	√	0	√	0	√	0	√
	(Action within 8 weeks) A	0	√	0	√	0	√	0	√	0	√	0	√
	(Action within 18 weeks) B	2	↔	2	↔	2	↔	0	√	0	√	0	√
	(Action within 52 weeks) C	0	√	0	√	0	√	0	√	0	√	0	√
12	FIRE RISK ASSESSMENT ACTIONS / WORKS BY PRIORITY - MID SUFFOLK												
	(Immediate action) AA	0	√	0	√	0	√	0	√	0	√	0	√
	(Action within 8 weeks) A	0	√	0	√	0	√	0	√	0	√	0	√
	(Action within 18 weeks) B	0	√	0	√	0	√	0	√	0	√	0	√
	(Action within 52 weeks) C	0	√	0	√	0	√	0	√	0	√	0	√
SMOKE & CO DETECTOR INSTALLATION PROGRAMME													
15	DETECTOR PROGRAMME - BABERGH	53	↔	53	↔	53	↔	101	↑	101	↔	72	↓
16	DETECTOR PROGRAMME - MID SUFFOLK	66	↔	66	↔	66	↔	94	↑	94	↔	80	↓
WATER HYGIENE													
17	WATER HYGIENE SERVICING / TESTING - BABERGH	9	↔	0	√	0	√	0	√	0	√	0	√
18	WATER HYGIENE SERVICING / TESTING - MID SUFFOLK												
19	WATER HYGIENE RISK ASSESSMENTS - BABERGH	37	↔	35	↓	30	↓	30	↔	20	↓	37	↑
20	WATER HYGIENE RISK ASSESSMENTS - MID SUFFOLK	50	↔	50	↔	45	↓	45	↔	25	↓	31	↑
ASBESTOS													
21	ABSESTOS REINSPECTIONS - BABERGH	0	√	0	√	0	√	0	√	0	√	0	√
22	ABSESTOS REINSPECTIONS - MID SUFFOLK	0	√	0	√	0	√	0	√	0	√	0	√
23	ACTIONS ARISING FROM REINSPECTIONS - BABERGH	0	√	0	√	0	√	0	√	0	√	0	√
24	ACTIONS ARISING FROM REINSPECTIONS - MID SUFFOLK	0	√	0	√	0	√	0	√	0	√	0	√
LIFTS													
25	LIFTS - SERVICING / TESTING - BABERGH	0	√	0	√	0	√	0	√	0	√	0	√
26	LIFTS - SERVICING / TESTING - MID SUFFOLK	0	√	0	√	0	√	0	√	0	√	0	√
DAMP AND MOULD ENQUIRIES													
27	DAMP AND MOULD ENQUIRIES - NO. OF COMPLETED SURVEYS - BABERGH	89	↓	89	↓	31	↓	8	↓	3	↓	14	↑
28	DAMP AND MOULD ENQUIRIES - NO. OF COMPLETED SURVEYS - MID SUFFOLK	181	↓	181	↓	163	↓	153	↓	148	↓	127	↓