

REPORT TITLE: Compliance Update 1 August 2024

To:

Executive Councillor for Housing, Gerri Bird

Housing Scrutiny Committee (30th September 2024)

Report by:

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Wards affected:

All Wards

1. Recommendations

- 1.1 The Executive Councillor for Housing is recommended to note the progress of the compliance related work detailed within the report.

2. Purpose and reason for the report

- 2.1 The report provides an update on the compliance related activities delivered within the City Services Compliance Team, covering a summary on gas, electrical, fire, lifts, legionella and asbestos and including Damp, Mould and Condensation

3. Background and key issues

Compliance Update

The six key compliance areas are:

3.1 **Gas Safety**

Requirement - A gas safety check is to be completed every year on each gas appliance/flue and before any new tenure and annually for existing tenancies.

- As of 1st August 2024, Cambridge City Council is 100% compliant on Gas Safety certification with 6604 properties with valid landlord gas safety certificates.

3.2 **Electrical Safety**

Requirement - A residential premises is to be inspected and tested for electrical safety by a qualified person at intervals of no more than 5 years.

- As of 1st August 2024, Cambridge City Council is 87% compliant with legislation of which 6330 properties have a valid satisfactory condition report.

3.3 **Fire Management Risk Assessment**

Requirement - A fire risk assessment is a legal requirement to assess the risk, identify fire hazards and allow landlords to take general precautions to reduce and manage fire risk.

- As of 1st August 2024, Cambridge City Council is 100% compliant with legislation where the requirement is to have a Fire Risk Assessment completing.

3.4 **Asbestos Management**

Requirement - The statutory requirement to be compliant with legislation is for all communal areas to have been inspected.

- As of 1st August 2024, Cambridge City Council is 100% compliant.

3.5 **Legionella & Water Hygiene**

Requirements - The Approved Code of Practice (ACOP) L8, issued by the Health and Safety Executive (HSE), provides guidance on the control of Legionella bacteria in water systems. The ACOP L8 recommends a risk-based approach to managing the risk of Legionella, which includes regular monitoring, inspection, and maintenance of water systems.

- Cambridge City Council remains 100 % compliant with no issues to report with the ongoing management of Legionella and water hygiene risks.

3.6 **Passenger Lifts & Specialist Lifting Equipment**

As of 1st August 2024, Cambridge City Council is 100% compliant with the requirement to service and maintain its lifts.

The Council is 100% compliant to the requirement outlined in Regulation 9 (thorough

examination and inspection every six months as required by LOLER).

Necessity and Benefits

By addressing these issues comprehensively, the Council can prevent potential hazards, reduce the risk of health-related issues, and improve the overall quality of life for residents. The benefits include increased safety, improved living conditions, and compliance with updated regulatory standards.

Intention of the Report and Considerations

This report aims to ensure that all relevant factors are addressed, and that the Council is well-prepared to implement measures effectively.

4. Corporate plan

4.1 This paper supports several key priorities outlined in the Corporate Plan for 2022-27.

1. Addressing Housing Inequality and Safety

By complying with the Decent Homes Standard and The Housing Health and Safety Rating System (HHSRS), Cambridge City Council is directly addressing housing inequality. Ensuring that all housing meets these standards means that residents, particularly those in vulnerable situations, have access to safe and decent living conditions. This aligns with the Corporate Plan's priority of tackling inequality and providing essential services.

2. Enhancing Well-being and Sustainability

Ensuring that homes are free from hazards and fit for habitation improves the health and well-being of residents. This not only reduces health inequalities but also contributes to a more sustainable community, as safe and well-maintained homes are less likely to contribute to environmental problems. This ties into the Corporate Plan's focus on building a sustainable city.

3. Legal Compliance and Quality Services

By adhering to the legal requirements of the Housing Act 2004, the Regulation Act 1990,

and the amendments in the Landlord and Tenant Act 1985, the Council is ensuring that it meets its legal obligations. This is in line with the Corporate Plan's commitment to providing high-quality services and maintaining the integrity and accountability of the Council's operations.

Conclusion

This progress report supports the Council's dedication to its Corporate Plan's priorities and reflects a commitment to regulatory adherence and continuous improvement in housing services, ultimately contributing to the betterment of the Cambridge community.

5. Consultation, engagement and communication

5.1 See Appendix A for Damp Condensation and Mould (DCM)

6. Anticipated outcomes, benefits or impact

6.1 Compliance.

Improved Safety and Risk Mitigation

Gas Safety: Ensuring all gas appliances and installations are regularly inspected and maintained, reducing the risk of gas leaks, explosions, or carbon monoxide poisoning.

EICRs: Regular electrical inspections identify and mitigate potential electrical hazards, reducing the likelihood of electrical fires, shocks, or system failures.

Fire Risk Assessments: Regular assessments and timely actions help to identify fire hazards and implement preventive measures, ensuring that fire safety systems are effective and compliant.

Lifts: Routine maintenance and inspections ensure lifts are safe for use, reducing the risk of accidents, malfunctions, and potential liabilities.

Legionella: Proper management of water systems helps prevent Legionnaires' disease, ensuring the health and safety of occupants.

Asbestos Management: Identifying and managing asbestos-containing materials helps prevent exposure and associated health risks, such as asbestosis and mesothelioma.

Effective compliance management ensures adherence to legal and regulatory requirements, avoiding fines, penalties, and legal action that could arise from non-compliance. Demonstrating a strong commitment to safety and compliance can enhance the organisation's reputation, building trust with stakeholders, including tenants, employees, and regulatory bodies.

Proactive maintenance and timely remediation of issues prevent costly emergency repairs, reduce insurance premiums, and minimise the financial impact of potential lawsuits or claims. Compliance management also supports budget forecasting and financial planning by reducing unexpected expenditures.

Streamlined compliance processes and regular maintenance schedules contribute to more efficient operations, reducing downtime, improving asset longevity, and ensuring that facilities function smoothly.

Effective compliance systems enable better data collection, tracking, and reporting, providing valuable insights for decision-making and continuous improvement.

By maintaining safe and compliant environments, tenant satisfaction and occupancy rates can improve, reducing turnover and enhancing the overall living or working experience.

Implementing effective compliance measures contributes to the long-term sustainability of buildings and facilities by ensuring that infrastructure is maintained to a high standard and that health and safety risks are minimised.

These anticipated outcomes highlight the wide-ranging benefits of effective compliance management, making a strong case for ongoing investment and attention in these areas.

Damp, Condensation and Mould.

In anticipation of the impact of Awaab's Law on our current policies and procedures regarding DCM, we plan to implement a system that enhances our recording, monitoring, and reporting services. What Will Be Different:

Improved Service Delivery:

- A more efficient and comprehensive system for recording, monitoring, and reporting will be established, ensuring timely and accurate management of DCM-related issues.

Enhanced Compliance:

- Compliance with Awaab's Law and other regulatory requirements will be strengthened, reducing legal risks and ensuring safer living conditions for residents.

Better Resident Engagement:

- Increased transparency and communication with residents regarding DCM issues will build trust and encourage proactive reporting of problems.

Streamlined Processes:

- Existing policies and procedures will be reviewed and streamlined, making them more efficient and easier to follow for staff and residents alike.

By implementing these measures, we aim to create a more efficient, compliant, and resident-focused approach to managing DCM issues, ultimately leading to improved service delivery and better living conditions for all residents.

7. Implications:

The negative implications of not undertaking compliance works, as highlighted by the benefits of proactive maintenance and compliance management, can be severe and wide-ranging.

The failure to undertake compliance works and proactive maintenance can lead to a cascade of negative consequences, including increased costs, legal liabilities, financial instability, safety risks, and damage to reputation, all of which can threaten the long-term viability of the Council.

7.1 Relevant risks

The negative implications of not undertaking compliance works, as highlighted by the benefits of proactive maintenance and compliance management, can be severe and wide-ranging:

- Increased Costs Due to Emergency Repairs
- Higher Insurance Premiums and Potential for Claims
- Legal and Financial Liabilities
- Potential for Large, Unplanned Capital Expenditures
- Deterioration of Infrastructure and Shortened Lifespan
- Health and Safety Risks
- Damage to Reputation

In summary, the failure to undertake compliance works and proactive maintenance can lead to a cascade of negative consequences, including increased costs, legal

liabilities, financial instability, safety risks, and damage to reputation, all of which can threaten the long-term viability of an organisation.

Financial Risks

The continuous demands of managing DCM reports and compliance requirements pose significant financial, legal, reputational, and operational risks to the Council. Increased costs from these ongoing issues could strain the budget, necessitating additional resources.

Non-compliance with Awabb's Law and other regulations may lead to financial penalties, legal actions, and potential litigation from residents if issues are not addressed promptly. Furthermore, inadequate handling of DCM concerns could erode public trust, attract negative publicity, and place undue strain on staff, leading to decreased efficiency and service quality. Careful planning and resource allocation are essential to mitigate these risks and maintain compliance while protecting the Council's reputation.

Financial Implications

7.2 There are likely to be new financial implications directly relating to this report particularly with regards to the management of Compliance and damp, mould and condensation.

- Costs associated with meeting of Compliance standards may strain the budget requiring additional resources for addressing and managing these issues.
- Failure to comply with Awaab's Law and other regulations could result in financial penalties and legal costs
- Costs associated with creating and distributing informational materials, such as videos, and leaflets

Legal Implications

7.3 ***Expenses:***

- For the financial year 2023/24, the Council incurred approx: £125,000 in legal expenses and £36K on compensation associated with disrepair claims, even if no court proceedings were involved.

Compliance Risks:

- Failure to meet the requirements of Awaab's Law and other relevant regulations could lead to legal challenges and potential sanctions.

Future Legal Costs:

- Additional legal expenses may arise from handling claims, addressing compliance issues, and managing any disputes or litigation related to disrepair.
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Equalities and socio-economic Implications

- 7.4 There are no new equality and socio-economic implications associated with this report. An EQIA has been developed for the service restructure and is included within the formal implementation papers.

Net Zero Carbon, Climate Change and Environmental implications

- 7.5 There are no Climate Change and environmental implications directly relating to the content of this report.

Procurement Implications

- 7.6 Any procurement for compliance and damp, condensation, and mould works must ensure compliance with relevant regulations, such as housing standards, health and safety, and environmental guidelines. This will involve selecting qualified contractors or surveyors with the relevant expertise.

The procurement process will prioritise thorough assessments, accurate reporting, and the recommendation of remediation measures, ensuring that all work adheres to legal requirements and minimises future risks.

Proper documentation and ongoing monitoring will also be integrated to ensure long-term compliance and prevent recurring issues.

Community Safety Implications

7.7 Fire Risks:

- The Compliance team continues to work through outstanding fire risk actions and have made significant inroads in reducing these. This also ensures that fire safety systems are effective and up-to-date and which are crucial for protecting residents and preventing potential fire hazards.

DCM Cases:

- The Estates and Facilities teams continue to actively manage a substantial volume of damp, mould, and condensation (DCM) cases. Effective handling of these issues is essential for maintaining healthy living environments and preventing related health problems.

Team Workload:

- The E&F team are working diligently to manage the high number of DCM cases, Adequate resources and support are necessary to ensure that these cases are addressed promptly and effectively.

7.8 Staffing implications

There are no new staffing implications directly relating to this report.

8. Background documents

8.1 There are none.

9. Appendices

9.1 Appendix A Damp, Condensation and Mould Report 1 August 2024

To inspect the background papers or if you have a query on the report please contact Sean Cleary, Strategic Delivery Manager,

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