

# Regulator of Social Housing - Update



<b>Report to:</b>	Cabinet
<b>Date:</b>	12 June 2025
<b>Portfolio Holders:</b>	Councillor Dan Swords, Leader of the Council Councillor David Carter, Deputy Leader and Portfolio Holder for Housing
<b>Lead Officer:</b>	Boe Williams, Assistant Director - Housing Operations (Property)
<b>Contributing Officer:</b>	Alan Townshend, Executive Director
<b>Key Decision:</b>	No
<b>Forward Plan:</b>	Forward Plan Number I018366
<b>Call In:</b>	This item is subject to call in procedure
<b>Corporate Mission:</b>	Invest in our housing
<b>Wards Affected:</b>	None specifically

## Executive Summary:

- A** In respect of the council's corporate mission to 'invest in our housing', the Building Harlow's Future Plan states that this year, the council will "*enact, in full, our Consumer Standards Improvement Plan*" in order to "*address past compliance failings and restore confidence in our housing services*".
- B** In line with that stated outcome, this report provides an update on the progress the council is making in respect of the actions agreed with the Regulator of Social Housing following the Regulatory Judgement and C3 grading and its Consumer Standards Improvement Plan.

## Recommended that:

- A** Cabinet notes the progress being made and actions agreed with the Regulator of Social Housing to manage our ongoing social housing compliance responsibilities and the wider elements of the Safety and Quality standard, and to improve our performance in this area.

- B** Cabinet keeps under review the option of making a voluntary undertaking to the Regulator for Social Housing as work on finalising and implementing the improvement plan continues.

### **Reason for decision**

- A** In respect of the council's corporate mission to 'invest in our housing', the Building Harlow's Future Plan states that this year, the council will *"enact, in full, our Consumer Standards Improvement Plan"* in order to *"address past compliance failings and restore confidence in our housing services"*.
- B** Achieving compliance with the Consumer Standards, is a statutory requirement for local authority housing providers. Meeting the requirements of the Consumer Standards will help the council deliver its corporate mission to 'invest in our housing', as well as ensuring it is a good landlord for its tenants and that it prioritises keeping tenants safe.

### **Other Options**

- A** No other options are appropriate. The Cabinet must remain fully informed about and in control of the council's compliance with social housing regulation and the progress the council is making against the actions agreed with the Regulator of Social Housing and next steps. Tenant safety is an absolute priority for the council.

### **Background**

1. In respect of the council's corporate mission to 'invest in our housing', the Building Harlow's Future Plan states that this year, the council will *"enact, in full, our Consumer Standards Improvement Plan"* in order to *"address past compliance failings and restore confidence in our housing services"*.
2. The Leader of the Council, and Deputy Leader and Portfolio Holder for Housing, continue to be updated about the progress being made in line with the agreed actions (as set out in previous reports to Cabinet) on a weekly basis. This report is made to each Cabinet meeting to ensure full oversight and control of the council's compliance with social housing regulation.
3. The council continues to work closely and constructively with the Regulator of Social Housing to review and monitor performance. Regular monthly meetings take place between the council and the Regulator. It is at these meetings where all areas of technical compliance are monitored, as is the council's progress against the improvement plan which identifies and tracks the progress the council is making on projects that have a direct outcome of ensuring that tenants are kept safe in their homes.

### **Compliance in the number of FRAs carried out**

4. At the end of May 2025 there are no outstanding FRAs as the council has achieved its target of 100% FRAs. This means that all buildings requiring a Fire Risk Assessment

have one in place. Old FRAs will become due every month, and these will be monitored and executed accordingly.

### Compliance in number of FRA tasks outstanding

5. The table below provides a breakdown of the outstanding FRA actions, broken down into workstreams. This table also shows tasks that are overdue and those not due yet:

	High Rise		Low Rise		Medium Rise		Sheltered		Total
	Overdue	Not yet Due	Overdue	Not yet Due	Overdue	Not yet Due	Overdue	Not yet Due	
Compliance Housing Management	21	25	104	825	4	13	27	7	1,026
Programmed Works	102	42	1,476	2,482	17	24	88	4	4,235
Responsive Repairs	1,096	288	1,412	4,326	916	45	176	453	7,926
	2	1	9	51	0	0	0		63
	1,221	356	3,001	7,684	66	167	291	464	13,250

6. The workstream with the highest number of outstanding actions is programmed works, which has 7,926 outstanding actions, of which 2,729 are overdue. The works identified so far in this year's capital programme will reduce the total outstanding actions in this workstream by 3,326.
7. In March, the number of tasks outstanding was 12,916, so this total has risen by 334, despite the fact that 474 actions were closed in the last month. The increase in actions has come about because of the new FRAs undertaken. Now that all FRAs have been completed, the number of new actions every month should be relatively small and there should be a net monthly reduction in tasks.
8. The following table shows the number of completed FRA tasks each month over the last ten months. The number completed in April shows an improvement on the March figure and demonstrates an improvement on the Q3 and Q4 monthly average.

Month	High Rise	Med Rise	Low Rise	Sheltered	Total
Jul-24	17	71	30		118
Aug-24	14	9	215	142	380
Sep-24	1	58	420	277	756
Oct-24	0	1	71	16	88
Nov-24	74	16	220	37	347
Dec-24	19	5	271	68	363
Jan-25	6	4	172	20	202
Feb-25	6	25	537	25	593
Mar-25	1	5	384	67	457
<b>Apr-25</b>	<b>45</b>	<b>9</b>	<b>420</b>	<b>0</b>	<b>474</b>
					3778

9. Moving forward, these tasks will be closed in larger numbers. We are in the process of procuring two companies who will specifically target our priority actions.
10. Whilst these actions are being carried out, the council must be satisfied that we are doing all we can to mitigate any risks to resident safety. The following mitigation measures have been put in place:
  - a) Over 90% of tenants' homes have heat, smoke and carbon monoxide sensors fitted;
  - b) Communal areas in blocks are regularly checked by officers and blocks considered higher risk are checked more frequently by caretakers;
  - c) There is a front door replacement programme on going;
  - d) We have five separate contractors who are instructed to carry out ad hoc repairs relating to fire safety tasks;
  - e) We are just starting our second annual inspection of doors in tower blocks and blocks over 11 metres high;
  - f) We have completed our first quarterly inspection of tower blocks and blocks over 11 metres high, and our second quarterly inspections are due to start in June. These inspections result in ad hoc repairs being reported and done straight away;
  - g) We are working closely with Essex Fire and Rescue Service and have built up good relationships with the team responsible for high rise buildings and the team responsible for low rise blocks; and
  - h) Our sheltered blocks are all inspected regularly by management and any fire safety repairs are reported and carried out straight away.

### **On going management of FRA tasks**

11. Our software system for tracking FRA tasks, categorises them into the four workstream below and prioritises them in risk categories of High, Medium or Low.
  - a) Compliance;
  - b) Housing Management;
  - c) Responsive repairs; and
  - d) Programmed major works.

12. We are working with the provider of our FRA task tracking software to re-establish a detailed list of sub-categories beneath these four workstreams, so that we can identify required tasks by type (e.g. doors, fire stopping, ventilation etc). In addition to this, we are also in the process of establishing the following status types:
  - a) Unallocated (this means the task has not yet been allocated to a specific programme of works or an individual);
  - b) In Progress (this means that the task is underway);
  - c) On Site (this is particularly relevant for tasks that fall within programmes of work that can have long lead-in times); and
  - d) Completed.
13. With these changes to the software, the council will be able to report in a more meaningful way and to clearly see what sub-categories of work are yet to be allocated or are still in progress and which workstream they are part of. This will be of significant help when allocating and tracking the tasks and will enable additional programmes of work, within the current financial envelope of this year's HRA capital programme.

### **Governance and resource management in Fire Safety**

14. The governance around how technical compliance is managed is also changing. There is a fortnightly working group, chaired by the Assistant Director of Housing Operations (Property) that looks at all the tasks by status group, to track each category and ensure that all tasks are allocated. This group then feeds up to a wider internal control meeting on technical compliance and fire safety, ensuring scrutiny in a structured and transparent way.
15. A new Head of Fire and Building Safety has joined the Housing Operations (Property) team, reporting directly to the Assistant Director of Housing Operations (Property). The officer in question is fully accredited and qualified and may decide to challenge or reclassify some of the FRA tasks that have been presented. He will be the council's Accountable Person under the Building Safety Act 2022 and he has come from a London Borough where he made improvements in Fire Safety performance sufficient to enable them to exit their voluntary undertaking with the Regulator. There will be further improvements in the way that FRA tasks are managed and the pace at which they are completed, once this officer starts.
16. Interviews were recently held for two Fire Safety Officers to join the Housing Management (Property) team. When appointed, these two officers will be responsible for clearing down the FRA tasks in the Housing Management workstream. These tasks currently number 4,235, the vast majority of which relate to low rise blocks, where 1,476 are overdue. The resolution of these actions will form the entire job of the two officers, so it is anticipated that there will be a significant impact on the number of

outstanding actions once they both start. Additional staff resources have been identified to provide further support in reducing outstanding tasks.

17. Resources are being deployed from HTS and will carry out inspections to clear many of the actions. We will also be resourcing the resident liaison and communication functions, which will resolve a large number of actions relating to resident engagement.
18. The delivery function in Housing Operations (property) will be increasing its capacity to manage works on site, which will help progress the large component replacement programmes that will address many of the outstanding actions.

### **An independent review**

19. The Regulator of Social Housing asked for an independent review to be carried out of the council's performance in relation to technical compliance, which includes fire safety. We have procured Ark Consultancy to carry out the review and have had a kick off meeting with them. The review will start at the beginning of June and will take three months to complete.
20. There are three strands to the review; the first is a controlled sampling of technical compliance certification of the big six areas of health and safety, against typical archetypes of property within the council's housing stock. The 'big six' compliance areas are; Gas, Electric, Asbestos, Water Hygiene, Fire Safety and Lifts.
21. The certificates will be checked and verified to assess their validity. In terms of monitoring, as well as the 'big six', we are also working with the Regulator on smoke and carbon monoxide detection and on damp and mould.
22. Secondly, there will be an assessment of the effectiveness of the services, which will be deduced by carrying out three separate workshops, each taking half a day.
23. Thirdly, there will be a review of governance arrangements to ensure that tenant safety is being tracked and monitored appropriately and that the appropriate corporate responsibility is taken at different levels of the organisation.

### **Liaison with the Regulator of Social Housing**

24. The monthly meeting with the Regulator is scheduled for 4 June where we expect to receive further feedback on the draft improvement plan. The Regulator understands that there is a process to go through to clear the backlog of FRA tasks but is very keen to see that the council prioritises tenant safety at all costs and has put measures in place to mitigate the health and safety risks that exist by these actions remaining outstanding. We are working with the Regulator to go through the steps we are already taking to ensure that risks are minimised.

25. We are continuing to work with the Regulator on the format of our improvement plan. This current version was revised following feedback from the Regulator at the last meeting. Therefore, we are continuing to improve the plan with further detail and formatting to provide a more logical format and making it easier to track and follow. The plan identifies projects that are underway to bring about assurance that the council meets the requirements of the Consumer Standard. Each project has milestones and target dates that are easily identified and tracked. This plan is likely to be amended further once the results of the Ark review are provided.

## **Implications**

### **Equalities and Diversity**

None directly related to this report.

### **Climate Change**

None directly related to this report.

### **Finance**

The budget for this year's HRA capital programme for major works is £51m, which includes accruals and budgets carried forward from last year. Revenue requirements have been included within the 30 year business plan. Any additional resource required for this financial year will be considered but is not currently forecast.

Author: Jacqueline Van Mellaerts, Assistant Director – Finance and Section 151 Officer

### **Governance**

Cabinet received a Housing Regulator Update report at its 24 October 2024 meeting. That report adequately summarised the Housing Regulator's *Consumer Standards* regime, the detail underpinning Harlow's C3 grading and the positive actions against the same.

Harlow is currently operating within the Regulator's "responsive engagement" process which is a co-operative regime to agree and measure progress against its improvement plan. Having a clear process of internal governance to ensure demonstrable pace of progress against the plan will be key to ensuring Harlow progressing successfully through the responsive engagement process to achieving a target rating of C1, being a regulatory judgement that Harlow is delivering the required consumer standards outcomes. The regular reporting to Cabinet that is proposed here is designed to ensure the requisite governance arrangements are in place.

Author: Daniel Dickinson, Assistant Director – Legal and Democratic Services (Interim) and Monitoring Officer

## **Appendices**

Appendix A - Draft Consumer Standards Improvement Plan

## **Background Papers**

Building Harlow's Future plan -

<https://moderngov.harlow.gov.uk/documents/s28303/Appendix%20A%20-%20Building%20Harlows%20Future.pdf>

## **Glossary of terms/abbreviations used**

FRA – Fire Risk Assessments

HRA – Housing Revenue Account