

Title of meeting: Cabinet Member for Housing and Tackling Homelessness

Date of meeting: 18th September 2024

Subject: Repairs & Maintenance Policies Update

Cabinet Member: Councillor Darren Sanders - Cabinet Member for Housing and Tackling Homelessness

Report by: James Hill - Director of Housing, Neighbourhood and Building Services

Report Authors: Adam Hardwick - Assistant Director Building Services
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Wards affected: All

Key Decision: No

Full Council Decision: No

1. Purpose of Report

1.1 The purpose of this report is to update the Cabinet Member for Housing and Tackling Homelessness of a review of a number of Repairs and Maintenance policies to ensure they meet the requirements of the Regulator of Social Housing, Consumer Standards and to seek approval for the updated policies.

2. Recommendations

2.1 The Cabinet Member for Housing and Tackling Homelessness approves the updated Repairs and Maintenance policies and asks the Housing, Neighbourhood and Building Services to implement the new policies on 1 October 2024. (Appendix A - K)

2.2 The Cabinet Member for Housing and Tackling Homelessness approves the implementation and communication plan for the updated policies.

3. Background

3.1 Following the introduction of new legislation including the Social Housing (Regulation) Act 2023 and the Building Safety Act 2022, it has been necessary to undertake a review of existing Repairs and Maintenance policies to ensure the Council is meeting its legislative requirements.

3.2 The Social Housing (Regulation) Act 2023 introduced four new Consumer Standards that defines required outcomes and specific expectations that Landlords are required to meet.

Below details the key application of each of the 4 standards.

Neighbourhood and Community Standard

- Safety of shared spaces
- Local cooperation
- Anti-social behaviour and hate incidents
- Domestic abuse

Safety and Quality Standard

- Stock quality
- Decency
- Health and Safety
- Repairs, maintenance and planned improvements
- Adaptations

Tenancy Standard

- Allocations and lettings
- Tenancy sustainment and evictions
- Tenure
- Mutual exchange

Transparency, Influence and Accountability Standard

- Fairness and respect
- Diverse needs
- Engagement with tenants
- Information about Landlord Services
- Performance information
- Complaints

3.3 A number of new and revised policies have already been approved in 2024 by the Cabinet Member for Housing and Tackling Homelessness, these include;

- a) HNB Complaints Policy
- b) Damp and Mould Policy
- c) Fire Safety Policy

4. General Policy Updates

4.1 The updated repairs and maintenance policies within the scope of this report have all been updated to ensure the format is consistent with all Housing, Neighbourhood and Building policies, to enable ease of review by residents. The updated repairs and maintenance policies all include the similar structure to all other Housing, Neighbourhood and Building policies.

4.2 The policies include a summary of each policy together with an effective date and stating the policy will next be reviewed every 3 years or when there has been an update to legislative, regulatory, best practice or operational changes.

- 4.3 Details of the scope of the policy include confirming the type of property included and clarifying the references to Portsmouth City Council and references of 'tenant', 'customer' or 'resident'. Each policy confirms the purpose of the policy, including ensuring we meet our statutory and legislative obligations
- 4.4 The policies all have a 'Your responsibilities' section that details resident responsibilities with regard to the specific policy.
- 4.5 'Your voice' references residents' wide range of meaningful opportunities to influence and scrutinise including specifically the Resident Consortium together with repairs and maintenance focus groups.
- 4.6 The policies recognise the vast amount of legislation and confirm that we will continue to monitor relevant legal guidance. Each policy lists some of the existing legal frameworks and relevant publications that are applicable to the policy, a section also highlights any related documents that the policy should be read in conjunction with.
- 4.7 The policies each provide details of how residents can provide feedback through compliments and complaints by reference to the Landlord Complaints policy and details of the Housing Ombudsman Service. They also confirm that residents can get the policy in large print, Braille, audio or in another language by contacting their Housing Office.
- 4.8 A summary of the changes to each of the existing policies is detailed within the report and a summary has been issued to the residents as is detailed within Appendix A.
- 5. Aids and Adaptation Policy (Appendix B)**
- 5.1 The policy outlines our approach to the management of requests for aids and adaptations recommended by an Occupational Therapist (OT) for tenants or members of their household to restore or enable independent living for tenants and their families who may reside within a disabling environment.
- 5.2 The policy supports the Regulator of Social Housing Consumer Standards in relation to the following.
- Safety and Quality Standard
 - Section 1.5. Adaptations
 - Transparency, Influence and Accountability Standard (all sections)
- 5.3 The requirement for adaptation of properties is a statutory duty under the '*The Housing Grants, Construction and Regeneration Act 1996 and Housing Act 2004*', alongside a number of other applicable pieces of legislation.
- 5.4 The original policy was approved 4 November 2014 and last reviewed 27 September 2022. Key changes from the original policy include.

- a) Confirming all requests for adaptation works must be assessed by Occupational Therapists (OT) who will provide recommendations and specifications as necessary.
- b) Confirming major adaptations are subject to financial eligibility criteria to determine if the work will be fully funded or whether the tenant has to contribute.
- c) Confirming a Disabled Adaptations Panel that reviews the following key areas and implements changes required to processes, policies or communication to residents as appropriate.
 - i. complex or high priority cases or adaptations that exceed £30,000 or the housing register does not meet the adaptations demand
 - ii. our response and resources for requests for aids and adaptations including service measures for demand, capacity, end to end, quality, costs and customer satisfaction
 - iii. training provided to staff and information provided to residents
 - iv. record all aids and adaptations complaints to review any learning
 - v. Review any other feedback escalated from the regular monthly operational meetings
 - vi. changes to legislation, best practice, guidance or recommendations from reviews

5.5 Residents responsibilities highlighted include where a tenant wishes to organise works for themselves, they should refer to the '*Tenant or leaseholder improvements and alterations policy*' and seek permission before commencing any works.

6. Asbestos Policy (Appendix C)

6.1 The policy outlines our approach to the management of asbestos within our properties to both ensure the safety of residents occupying the dwellings as well as make sure that we meet our statutory and legislative obligations.

6.2 The policy supports the Regulator of Social Housing Consumer Standards in relation to the following.

- Safety and Quality Standard
 - Section 1.1 Stock Quality
 - Section 1.3 Health & Safety
- Transparency, Influence and Accountability Standard (all sections)

6.3 The management of asbestos is a statutory duty under the '*Control of Asbestos Regulations 2012*' alongside the Landlord and Tenant Act 1985, Housing Act 2004 and the Homes (Fitness for Human Habitation) Act 2018 as well as a number of other applicable pieces of legislation.

6.4 The original policy was approved 4 November 2014 and last reviewed 1 September 2021. Key changes from the original policy include.

- a) Reference to contaminated land and any site remediation after an assessment with any works undertaken in accordance with CAR-SOIL guidance.
- b) An additional requirement that as part of the voids service we will include a full management survey of each property and generation of an 'asbestos in your home' report that will be provided to the incoming tenant alongside a DIY advice leaflet. Borrowed lights that contain Asbestos Containing Material (ACM) will be also removed at the void stage.
- c) Confirming residents undertaking alterations at their home can request an 'asbestos in your home' report.
- d) Confirming an Asbestos Safety Panel that reviews the following key areas and implements changes required to processes, policies or communication to residents as appropriate.
 - i. re-inspection compliance including asbestos surveys
 - ii. training provided to staff and information provided to residents
 - iii. record all asbestos incidents and review any learning
 - iv. changes to legislation, best practice, guidance or recommendations from reviews

6.5 Residents responsibilities highlighted include reinforcing making us aware of any alterations that are planned or damage to asbestos immediately, together with reinforcing advice regarding common locations of asbestos containing materials in dwellings.

7. Charging for Repairs Policy (Appendix D)

7.1 The policy outlines circumstances when a repair is chargeable and how we identify and manage any decision to charge for building maintenance work carried out by us.

7.2 The policy supports the Regulator of Social Housing Consumer Standards in relation to the following.

- Safety and Quality Standard
 - Section 1.3 Health and Safety
 - Section 1.4 Repairs, maintenance and planned improvements
- Transparency, Influence and Accountability Standard (all sections)

7.3 The original policy was approved 4 November 2014 and last reviewed 1 September 2021. Overall, the policy remains unchanged, the only changes are general policy updates (section 4) regarding the structure, formatting and phrasing of the policy.

7.4 Residents responsibilities highlighted include identifying and reporting repairs and if chargeable, making timely payments as agreed with housing management.

8. Damp and Mould Policy (Appendix E)

- 8.1 This policy outlines our approach to the management of damp and mould to ensure all our properties are well maintained, including free of damp and mould that could risk the health and safety of tenants living in our dwellings.
- 8.2 The policy supports the Regulator of Social Housing Consumer Standards in relation to the following.
- Safety and Quality Standard
 - Section 1.1 Stock Quality
 - Section 1.2 Decency
 - Section 1.3 Health and Safety
 - Section 1.4 Repairs, maintenance and planned improvements
 - Transparency, Influence and Accountability Standard (all sections)
- 8.3 The original policy was approved 22 February 2024. Key changes from the original policy include.
- a) Confirming a Damp and Mould Panel that reviews the following key areas and implements changes required to processes, policies or communication to residents as appropriate.
- i. our response to damp and mould, surveys undertaken and data about our stock to proactively manage damp and mould.
 - ii. training provided to staff and information provided to residents
 - iii. record all damp and mould complaints and disrepair claims to review any learning
 - iv. changes to legislation, best practice, guidance or recommendations from reviews
- 8.4 Residents responsibilities highlighted include immediately reporting any evidence of damp and mould or faulty equipment that causes condensation, allowing access for inspections or remedial works and following advice that can help reduce moisture.

9. Fire Safety Policy (Appendix F)

- 9.1 This policy outlines our approach to the management of fire safety of residents living in our blocks of flats ensuring we meet out statutory and legislative obligations.
- 9.2 The policy supports the Regulator of Social Housing Consumer Standards in relation to the following.
- Safety and Quality Standard
 - Section 1.1 Stock Quality
 - Section 1.3 Health and Safety
 - Section 1.4 Repairs, maintenance and planned improvements
 - Transparency, Influence and Accountability Standard (all sections)



- 9.3 The requirement for fire safety is a statutory duty under '*The Regulatory Reform (Fire Safety) Order 2005*' and '*The Fire Safety (England) Regulations 2022*' alongside a number of other applicable pieces of legislation.
- 9.4 The original policy was approved 26 January 2024. Key changes from the original policy include.
- a) Clarifying that where any residents that have been identified that are unable to self-evacuate their property in the event of a fire, a personal emergency evacuation plan (PEEPs) will be prepared.
 - b) An additional requirement that residents must not store or charge mobility scooters, e-scooters, e-bikes or batteries in any escape routes, either within individual properties or in any shared communal parts of buildings that are the means of escape routes. Residents must ensure charging in properties follows guidance provided.
 - c) Confirming a Fire Safety Panel that reviews the following key areas and implements changes required to processes, policies or communication to residents as appropriate.
 - i. fire risk assessments
 - ii. training provided to staff and information provided to residents
 - iii. advice from Hampshire Isle of Wight Fire & Rescue Service (HIWFRS)
 - iv. record all fire incidents that have occurred and review any learning
 - v. changes to legislation, best practice, guidance or recommendations from reviews such as the Grenfell Enquiry.
- 9.5 Residents responsibilities highlighted include.
- a) Ensuring awareness of the fire safety policy advice and what to do in the event of a fire for residents specific building including all fire escape routes.
 - b) Make us aware if unable to self-evacuate.
 - c) Must immediately report any evidence of faulty equipment and not tamper or damage any firefighting equipment.
 - d) Allow access for inspections and for the carrying out all remedial works and servicing of appliances.
 - e) Follow guidance published regarding fire doors, smoke detectors, communal areas, private balconies, gas containers, charging and storage of batteries.

10. Improvement and Alterations Policy (Appendix G)

- 10.1 This policy outlines our approach for managing requests from tenants or leaseholders wishing to make improvements and alterations to their home.
- 10.2 The policy supports the Regulator of Social Housing Consumer Standards in relation to the following.
- Safety and Quality Standard
 - Section 1.3 Health and Safety
 - Transparency, Influence and Accountability Standard (all sections)

10.3 The original policy was approved 4 November 2014 and last reviewed 1 September 2021. Key changes from the original policy include.

- a) An additional requirement that if the alterations impact on any neighbouring property we will consult with the neighbours prior to giving any permission.

10.4 Residents responsibilities highlighted include ensuring they seek prior written approval, provide details of work proposed before it commences (drawings, specification etc), complete our declaration form, pay entire cost of works, maintain records of work completed (receipts, certificates, guarantees etc), ensure competent persons employed to undertake work and make good any damage caused at their own expense.

11. Repairs and Maintenance Allowance Policy (Appendix H)

11.1 This policy outlines our approach to enabling competent residents to undertake internal decoration or other minor general maintenance of their home following a void inspection or as a result of a repair.

11.2 The policy supports the Regulator of Social Housing Consumer Standards in relation to the following.

- Safety and Quality Standard
 - Section 1.4 Repairs, maintenance and planned improvements
- Transparency, Influence and Accountability Standard (all sections)

11.3 The original policy was approved 4 November 2014 and last reviewed 1 September 2021. Overall, the policy remains unchanged, the only changes are general policy updates (section 4) regarding the structure, formatting and phrasing of the policy.

11.4 Residents responsibilities highlighted include demonstrating that the resident or the labour used is competent to undertake the work.

12. Requests to Improve Our Properties Policy (Appendix I)

12.1 This policy outlines our approach to managing resident requests to improve our property and make them suitable homes when needed.

12.2 The policy supports the Regulator of Social Housing Consumer Standards in relation to the following.

- Safety and Quality Standard
 - Section 1.1 Stock Quality
 - Section 1.2 Decency
 - Section 1.3 Health and Safety
 - Section 1.4 Repairs, maintenance and planned improvements
- Transparency, Influence and Accountability Standard (all sections)

- 12.3 The original policy was approved 4 November 2014 and last reviewed 1 September 2021. Overall, the policy remains unchanged, the only changes are general policy updates (section 4) regarding the structure, formatting and phrasing of the policy.
- 12.4 Residents responsibilities highlighted include providing appropriate information as part of a request for improvements to the property such as details of demand, what facilities or improvements are required, any consequences of not undertaking the improvement.
- 13. Right to Repair Policy (Appendix J)**
- 13.1 This policy outlines how we manage our obligations under the 'right to repair' legislation.
- 13.2 The policy supports the Regulator of Social Housing Consumer Standards in relation to the following.
- Safety and Quality Standard
 - Section 1.3 Health and Safety
 - Section 1.4 Repairs, maintenance and planned improvements
 - Transparency, Influence and Accountability Standard (all sections)
- 13.3 The right of tenants to have qualifying repairs carried out is a statutory duty under the *'The Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994'*, the Landlord and Tenant Act 1985 and a number of other applicable pieces of legislation.
- 13.4 The original policy was approved 4 November 2014 and last reviewed 1 September 2021. Overall, the policy remains unchanged, the only changes are general policy updates (section 4) regarding the structure, formatting and phrasing of the policy.
- 13.5 Residents responsibilities highlighted include to report a repair in a timely manner and provide us or our contractors access to undertake the repair.
- 14. Resident consultation and engagement**
- 14.1 In accordance with the Regulator of Social Housing, *Consumer Standards, Transparency, Influence and Accountability Standard*, consultation has been undertaken with residents around the proposed changes and updates to the policies.
- 14.2 A specific Resident Policy Focus Group has been established that meets regularly to provide the opportunity for consultation, engagement and feedback with residents around the development and review of all policies within HNB.
- 14.3 Each of the revised and new polices have been issued to all members of the Resident Policy Focus Group along with a form to record any feedback.

- 14.4 Three written responses were received from residents of the Policy Focus Group. Generally, these were in support of all of the policies with no objections raised. Some comments were received regarding specific policies, these comments are detailed in Appendix K.
- 14.5 In person meetings were held with the Policy Focus Group on the 11 July 2024 and 12 July 2024. The purpose of these meetings was to discuss the policies in more detail, answer any specific questions about the policies and gain further resident feedback.
- 14.6 In addition to the formal written feedback, members of our Resident Engagement team rang all members of the Policy Focus Group who had not provided written feedback. Generally verbal feedback provided was positive with no adverse comments received and some residents provided written feedback at the meeting that has been incorporated into the summary in Appendix K.
- 14.7 Feedback was again generally positive, some of the feedback has directly led to changes to the policies such as the Asbestos Policy and Aids & Adaptations Policy as detailed in Appendix K.
- 14.8 In addition other forms of feedback has informed the updated policies including a review and learning from complaints. Incidents recorded at various HNB safety panels has also led to either some additional clauses incorporated into the policies to clarify the process or changes to the policy. Examples include
- a) Alterations and Improvement Policy - feedback from an alteration and improvement complaint led to the requirement that if the alterations impact on any neighbouring property we will consult with the neighbours prior to giving any permission.
 - b) Asbestos Policy - feedback from an incident led to the change of policy to provide an 'asbestos in your home' report for prospective tenants.

15. Communication Plan

- 15.1 Residents will have access to all the updated policies on the PCC website. There will also be regular articles in Housetalk confirming the updates to the policies, providing summaries of them and highlighting residents' responsibilities. Leaflets are being prepared to provide further information related to the policies that will be either be displayed at all local area housing offices, available as part of tenancy update or surveyor visits and provided at tenancy sign up to all new tenants.
- 15.2 Information regarding the policies will always be provided on request and residents can request at their area housing office for the policy in large print, Braille, audio or in another language.
- 15.3 HNB staff have been consulted as part of the process to review the policies, including through the various panel meetings where Heads of service will have oversight of the process including reviewing the effectiveness of the policies,

incidents identified, complaints reported and customer satisfaction surveys. The panels will review the effectiveness of any resident communication. All staff will be updated regarding the updated repairs and maintenance policies through HNB bulletins.

15.4 We will continue to engage with the Resident Policy and R&M focus groups. Other policies that are planned to be consulted with residents include void and repairs scope of service, electric inspections and gas servicing.

16. Integrated impact assessment (IIA)

16.1 An Integrated Impact Assessment is contained in Appendix L

17. Legal implications

17.1 It is not possible to refer to all the relevant legislation and the council's statutory responsibilities arising out of this report due to the wide range of policies referred to but the content of these policies complies with the key legislation as referred to within this report and are compliant with the Human Rights Act 1998.

17.2 The recommendations proposed and the updated policies will ensure the Council meets its obligations in respect of transparency, consultation and the new social housing standards.

17.3 In considering the Integrated Impact Assessment and the content of this report, the Cabinet Member must have due regard to the Public Sector Equality Act Duty in s.149 Equality Act 2010.

17.4 It is within the Cabinet Member's responsibilities, as set out in the Constitution, to make the recommendations proposed.

18. Director of Finance's comments

18.1 For the majority of the updated Repairs and Maintenance policies there is no change to the cost of the service being provided. Indeed, the introduction of various panels and means testing of adaptations should ensure a more efficient use of budgets. The commitment to an asbestos management survey in every void will incur an additional cost initially, helping to obtain better information about the HRA stock, but will prevent the need for ad hoc survey work as part of future repairs. None of the policies will reduce investment in our properties.

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Signed by: **James Hill - Director of Housing, Neighbourhood and Building Services**

Appendices:

Appendix A - Summary of Updates to R&M Policies

Appendix B - Aids and Adaptation Policy

Appendix C - Asbestos Policy

Appendix D - Charging for Repairs Policy

Appendix E - Damp and Mould Policy

Appendix F - Fire safety Policy

Appendix G - Improvement and Alterations Policy

Appendix H - Repairs and Maintenance Allowance Policy

Appendix I - Requests to Improve Our Properties Policy

Appendix J - Right to Repair Policy

Appendix K - Policy Focus Group Feedback

Appendix L - Integrated Impact Assessment (IAA)

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Neighbourhood and Community Consumer Standard	Neighbourhood and Community Standard
Safety and Quality Consumer Standard	Safety and Quality Standard
Tenancy Consumer Standard	Tenancy Standard
Transparency, Influence and Accountability (including Tenant Satisfaction Measures) Consumer Standard	Transparency, Influence & Accountability Standard

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by the Cabinet member for Housing and Preventing Homelessness on 18th September 2024.



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Signed by: **Councillor Darren Sanders - Cabinet Member for Housing and Tackling Homelessness.**