

**Approval for the following TLS policies:
Reviewed housing compliance policies**

Cabinet	30 May 2024
By	Sally O’Sullivan, Head of Tenant and Leaseholder Services
Cabinet Portfolio Member	Cllr Helen Whitehead, Deputy Leader and Cabinet Member for Housing
Key Decision	yes
Decision classification	Unrestricted
Call in status	yes
Ward:	all

Purpose of the Report

This report seeks authority for the council to accept amendments to five reviewed compliance policies.

The policies give the rules for how the Tenant and leaseholder Services must manage Landlord Compliance that ensures the Health and Safety of the residents of council owned housing.

Recommendation(s):

Cabinet is asked to:

1. Adopt the five amended compliance policies
2. Delegate authority to the Head of Tenant and Leaseholder Services, in consultation with the Cabinet Member for Housing to make minor operational changes to the policies, as required

1. Summary of Reasons

- 1.1 The presented policies are required for the effective management of landlord health and safety. They ensure compliance with the current legislation and with the Regulator for Social Housing.
- 1.1 The policies have been reviewed by frontline officers, taking into account new and revised legislation, and have been the subject of consultation with the Thanet Tenant and Leaseholder Group.

2. Background

- 2.1 The council's Tenant and Leaseholder Service (TLS) manages the council's social housing stock.
- 2.2 New compliance policies were adopted as part of the transition of the Tenant and Leaseholder Services from East Kent Housing to the council.
- 2.3 Policies need to be reviewed regularly to ensure:
 - They are up to date with current legislation or regulations
 - They work operationally
 - They are easy to understand and use
- 2.4 The council's landlord compliance policies adopted in 2020, are due for review.

3.0 The Policies

- 3.1 The policies to be approved are:
 - Gas Safety
 - Electrical Safety
 - Passenger Lifts
 - Water Hygiene
 - Asbestos
- 3.2 The Fire Safety policy was reviewed and agreed at Cabinet 15 June 2023. Due to the new Building Safety Act 2022 and the changes it brought with it, our fire safety policy had to be updated.
- 3.3 The changes made to the policies include:
 - Removal of repetition, thus shortening the policies
 - Ensuring the policies reflect current legislation, regulation and best practice
 - Removal of reference to other council departments
 - Complete review of reporting regime
- 3.4 At the time of transition, the council was under notice from the Regulator for Social Housing, due to failings in managing landlord health and safety. To provide assurance to the Regulator for Social Housing, CMT and cabinet, the required reporting is far more extensive than other KPI reports provided by the TLS.
- 3.5 As many workstreams are now operating as business as usual, making much of the previous reporting is redundant. Therefore the proposal is to condense the reports to ensure they provide high level assurance that can be drilled down into as and when required.

4.0 Stakeholder Engagement

- 4.1 The Thanet Tenants and Leaseholders Group (TTLG) were consulted on the all policies by way of review and discussion of the drafts during TTLG meetings.
- 4.2 TDC's Housing CAG have reviewed these policies in their meetings held 28/2/2024.

5. Alternative Options

5.1 Cabinet is asked to review the policies annexed to this report and has the following options:

1. Agree all policies as recommended.
2. Agree one or more of the recommended policies. This option is not recommended as all policies are required for the effective operational delivery of the service and to satisfy the requirements of current legislation and the Regulator for Social Housing

5.2 This report has also been considered by the council's Overview and Scrutiny Committee at its meeting on 21 May 2024 and any significant observations made by the committee will be shared with members of the cabinet prior to the decision.

6. Consultation

6.1 There is no statutory or public law duty to consult in relation to the amendments proposed to these policies.

7. Corporate Implications

7.1 Finance and Resources

7.1.1 The financial implications within these policies are budgeted for and reviewed annually within the HRA. As a Landlord, we are obligated to carry out testing, inspections and actions that come from inspection, as per regulation and legislation that supports our tenants health and safety in their homes.

7.2 Legal and Constitutional

7.2.1 The policies being considered in this report support the Council to meet its duties as a social landlord. They allow tenants clarity in relation to the matters addressed in each policy and provide for a consistent approach in respect of each matter. Where legislation is relevant to the application of a policy it has been referenced in this.

7.3 Council Policies and Priorities

7.3.1 This report relates to the following corporate priorities: -

- To deliver the housing we need
- To work efficiently for you

7.4 Risk

7.4.1 The policies are in place to mitigate the following risks:

- health and safety risk of our tenants living in unsafe homes,
- Legislative risk of not being compliant with current landlord health and safety legislation
- Reputational risk of a tenant living in an unsafe and non compliant home
- Financial risk - should a tenant be put at risk in a non compliant home and they choose to take legal action.

7.5 Climate Change and Biodiversity

7.5.1 The environment will be impacted by the contractors we use to carry out the compliance inspections and follow up work. As part of a contractor's business model they can take regard to climate change by:

- Choosing an electric fleet of vehicles
- Choosing responsible suppliers
- Choosing to dispose of waste responsibly and finding ways to recycle materials.

Part of TDC's procurement asks contractors how they support climate change as part of their tender submission. Their response is included in the tender analysis when choosing suppliers.

8. Equality, Equity and Diversity Implications

8.1 Cabinet must have regard to the Council's equality duties when making a decision in relation to each of these policies and a comprehensive Equalities Impact Assessments has been carried out.

9. Crime and Disorder Implications and Community impact

9.1 None identified

Subject History

This report has been reviewed by the Overview and Scrutiny Panel on 21 May 2024

Appendices

Annex 1 - Water hygiene
Annex 2 - Asbestos
Annex 3 - Electrical safety
Annex 4 - Gas Safety
Annex 5 - Lift safety

Background Papers

Report Author(s) Contact: Sally O'Sullivan, Head of Tenant and Leaseholder Services
telephone: 01843 577262
email: sally.osullivan@thanet.gov.uk

Report Sign Off / Signed off by / Date sent / Date signed off / Initials

Legal

Finance Chris Blundell (Director of Corporate Services - Section 151)