

PLACE OVERVIEW & SCRUTINY ADDENDUM

4.00PM, TUESDAY, 21 JANUARY 2025

HOVE TOWN HALL - COUNCIL CHAMBER

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ADDENDUM

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Brighton & Hove City Council

Place Overview & Scrutiny Committee

Subject: Housing Safety and Quality Compliance Update

Date of meeting: 21 January 2025

Report of: Chair of the Place Overview & Scrutiny Committee

Contact Officer: Martin Reid, Director of Homes & Investment

Ward(s) affected: All wards

Key Decision: No

For general release

1. Purpose of the report and policy context

1.1 This report provides an overview of Brighton & Hove City Council's progress in addressing housing safety and quality compliance, following the Regulator of Social Housing's (RSH) judgement on 9 August 2024. The judgement followed a period of Council engagement with RSH including sharing information on our backlog of routine repairs and Housing, Health & Safety Compliance Review. The RSH highlighted failings in safety and quality compliance and routine repairs backlog. It reflects the enhanced consumer regulation processes introduced in April 2024 as part of post-Grenfell reforms.

1.2 A report responding to the RSH judgement was reviewed by the Place Overview & Scrutiny Committee on 23 September 2024 before Cabinet consideration on 26 September 2024. This report proposed regular updates to Scrutiny to ensure cross-party oversight of actions addressing the Regulator's findings.

1.3 Earlier progress updates on the Council's Housing, Health & Safety Compliance Review had been presented to the Housing & New Homes Committee and Cabinet between June 2023 and June 2024, providing a foundation for the Council's response to the judgement and framing the Council's compliance priorities.

1.4 This report serves as a follow-up, incorporating the latest data from November 2024. It outlines actions taken, challenges encountered, and next steps to achieve compliance. Drawing on the Council's Housing Health & Safety Compliance Review, it highlights our commitment to sustained improvements and full compliance with our regulatory and legislative requirements, including the Building Safety Act and Social Housing (Regulation) Act 2023, with a focus on our

priority of ensuring the safety and wellbeing of residents, visitors, and those who work on our homes.

1.5 Improving housing quality and ensuring compliance with social housing regulations are key to delivering the Council Plan's "Homes for Everyone" priority.

2. Recommendations for Overview & Scrutiny involvement & oversight

2.1 That the Place Overview & Scrutiny Committee note and comment on the progress made in addressing the issues identified by the Regulator of Social Housing.

Updates on Safety and Compliance Areas Highlighted by RSH

3. Fire Safety

3.1 The Council has made significant investments in staffing, increased contractor capacity, foundational systems and processes for Fire Safety. A dedicated Fire Safety Team is managing the Council's fire safety compliance, supported by the Housing - NECH - system for centralised data management. This has enhanced oversight and streamlined processes, with further improvements planned over the next 12 months.

3.2 A comprehensive new round of Fire Risk Assessments (FRAs) across all building types is now nearing completion, establishing a robust baseline for ongoing safety management. The next round of FRAs, planned for completion by September 2025, will update on existing assessments. FRAs generate remediation actions which are prioritised based on risk. Once the risk prioritised backlog of remediation actions is cleared by December 2026, operations will align with risk assessment timelines.

3.3 Completion of remediation actions is the priority, beginning with our eight Large Panel System (LPS) blocks. Using a test-and-learn approach, completion of fire remediation actions arising from FRAs for LPS blocks is on track for January 2025. Remediation across the wider portfolio is underway, with all actions prioritised by risk and scheduled for completion by December 2026. This timeline aligns with the experiences of other local authorities.

3.4 In undertaking the FRA programme, processes are in place for the contractor to flag and the Fire Safety Team to review risk assessments prior to uploading to NECH, to identify and proactively address any intolerable or cumulative risks.

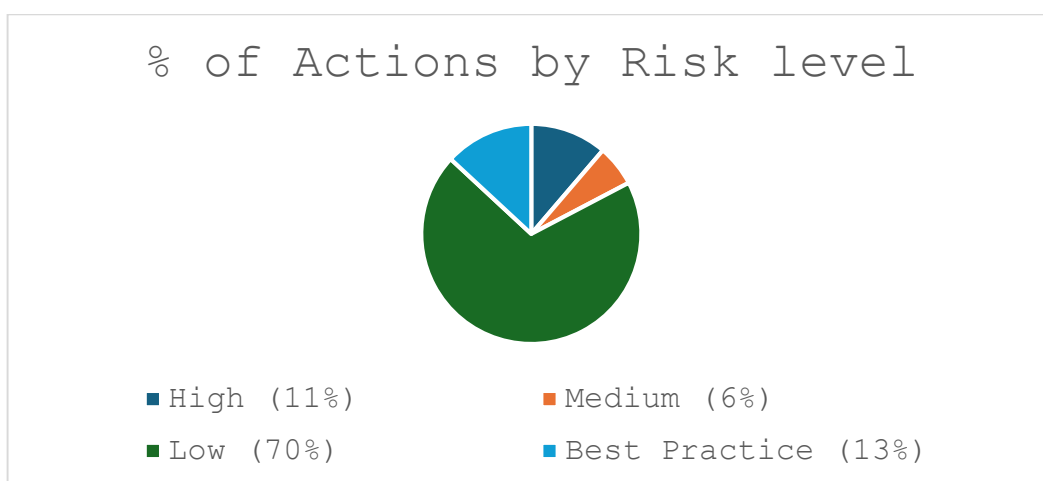
3.5 The original 1,700 actions identified in the Regulatory Judgement have been incorporated into a broader set of 8,114 actions from the new set of Fire Risk

Assessments (FRAs) which have been undertaken to provide an up to date set of risk assessments and remediation actions for our council blocks. Our initial focus has been on collating, categorising and establishing arrangements and resourcing to manage the actions effectively. Our focus has been on LPS blocks with outstanding remediation actions expected to start to reduce now our work on the wider portfolio has commenced.

3.6 A small number of actions have been assigned to the Repairs & Maintenance (R&M) team for rapid resolution, with the Estates Service also contributing with remediation of actions related to matters such as clear common ways. Additional contractor capacity has been deployed to undertake the bulk of remediation action, with priorities set in weekly meetings using a risk and capacity based approach. Subcontractors are engaged, for example for compartmentalisation works, to prevent delays and address multiple priorities simultaneously. This approach ensures that low-risk actions are addressed where capacity allows, avoiding delays at the end of the programme.

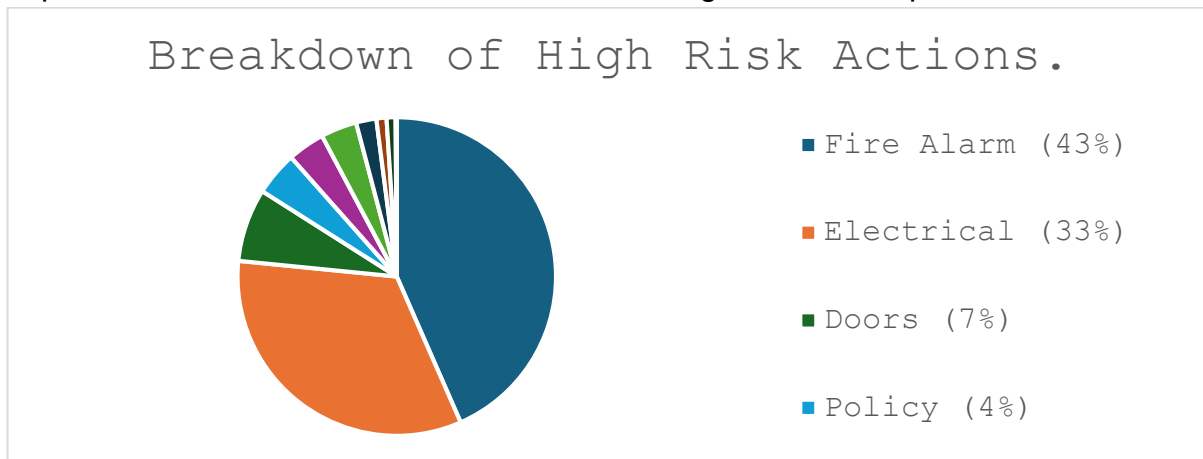
3.7 The Council has analysed fire remediation actions to support a targeted approach to fire remediation. Although the data, derived from a system review in September 2024, is indicative, it offers valuable insights for prioritisation and reassurance:

- Thirteen percent of actions are Best Practice—non-mandatory recommendations that are not currently prioritised while the focus remains on compliance-critical actions. Efforts are underway to ensure future best practice recommendations are more specific and aligned with protocols.



- High-risk actions, comprising 11% of all actions, predominantly involve electrical testing and Fire Action Notices - signs that provide clear instructions on what to do in the event of a fire (categorised under Fire Alarms in the following table). These are being addressed through ongoing programmes, including reconciliation against the Electrical Safety

Programme under which we have prioritised completion of re-testing and issuing of new communal electrical safety certificates for our high-rise blocks by December 2024. Policy-related actions are under review by the Fire Safety Team, which is verifying that policies are current, effectively implemented, and well understood before marking them as complete.



- Medium-risk actions primarily involve flat door issues. As doors constitute 20% of all actions, in addition to completing our existing programme of replacing Manse Masterdor flat entrance doors, the Council is developing a Fire Door Remediation plan to enhance coordination and effectiveness. While several door-related initiatives are already in progress, this plan will ensure a streamlined and strategic approach.
- Low-risk actions include door repairs, signage improvements, and general maintenance.

3.8 Performance data on Fire Safety Compliance measures is included in the Appendices (Table 1) and reflects progress in addressing identified actions and enhancing compliance standards.

4. Water Safety

4.1 The Council has appointed two additional contractors to complete water risk assessments. Completion of the risk assessments for High Risk Blocks are expected by January 2025, and July 2025 for all remaining risk assessments.

4.2 We have piloted water sample testing with our seniors housing and subsequently 20 blocks, to proactively identify and mitigate risks around water safety issues including Legionella. Broader sampling strategies are being finalised.

4.3 The Council has reviewed its procurement strategy for longer-term water safety contracts, aiming to have these in place by December 2025. This timeline allows learning from current arrangements before refining our Business As Usual (BAU)

approach to water safety – and therefore our commissioning and contract management processes.

4.4 To enhance oversight and improve water safety compliance, additional resources have been brought into team and the Council is also consolidating data within the NECH system, transitioning to a one ICT platform approach wherever possible. While the NECH system has been in place for some time, this work aims to improve the accuracy and consistency of information, streamline processes, and enable more effective tracking and reporting of water safety actions. Staff training on the system is ongoing, and negotiations with external contractors to align their engagement with the platform are underway. As the number of contractors has increased, the system's complexity is currently managed manually, with work underway to align systems and processes by Summer 2025.

4.5 Performance data on Water Safety Compliance measures is included in the Appendices (Table 2) and reflects progress in addressing identified actions and enhancing compliance standards.

5. Electrical Safety

5.1 The Council has established a dedicated Electrical Testing & Compliance Team to retest all domestic and communal properties on a risk-based priority by December 2026, maintaining a 5-year testing cycle thereafter. This work, supported by a Strategic Management Plan and updated Electrical Testing Procedure, has driven steady progress in electrical safety compliance. In 2024 4263 full electrical domestic tests were completed across our council homes (including tests by our contractor).

5.2 By November 2024, all 46 High-Rise blocks were fully certified, with 39.3% of communal installations and 66% of domestic dwellings achieving satisfactory certification within a 5 year testing cycle. Clear policies for addressing no-access properties and ongoing communication with residents have been critical to maintaining momentum.

5.3 The domestic electrical testing programme prioritises properties based on risk: Priority 1 - those with an unsatisfactory certificate; Priority 2 - those with no certification; and Priority 3 - those with older certifications, starting with the oldest first. All identified risk actions are remediated and resolved before issuing an electrical safety certificate, ensuring robust compliance. To achieve full compliance, the Electrical Testing & Compliance Team is re-testing all communal areas on a risk-based priority, targeting completion by December 2026. Communal testing priorities include: Priority 1 - communal supplies in high-rise blocks (completed December 2024); and Priority 2 - communal supplies in residential conversions (completion January 2025).

5.4 Challenges such as access issues, hoarding, and anti-social behaviour are being proactively addressed in collaboration with Housing Tenancy Services teams to maintain programme momentum and ensure all properties are tested.

5.5 Performance data on Electrical Safety Compliance measures is included in the Appendices (Table 3).

6. Smoke Detector Compliance

6.1 Ensuring robust smoke detector systems remains a priority. Current data shows 94% smoke detector coverage across council properties. A dedicated resource for smoke detection is in place, and the IT system flags properties currently lacking compliance, enabling Council staff to proactively visit these homes to ensure we install smoke detection as well support operatives visiting these properties to undertake other works to take appropriate action.

6.2 Additional measures include installing hard-wired smoke alarms and carbon monoxide detectors in all homes, as well as providing CO detectors for properties with gas appliances

6.3 Gaps are addressed during tenant visits or routine maintenance. Enhanced IT systems enable real-time tracking of inspections and replacements, improving response times.

6.4 A procurement review for next-generation detectors is underway to integrate smart technology with automated alerts, ensuring swift action to mitigate hazards.

6.5 Performance data on Smoke Detectors and Carbon Monoxide Detectors (Table 4) measures is included in the Appendices.

7. Routine Repairs Backlog

7.1 The routine repairs backlog remains challenging, with progress slower than anticipated despite the Housing Repairs & Maintenance service completing 3,000 to 3,500 repairs monthly. This steady reporting of new repair requests has kept total backlog levels broadly unchanged. Analysis is currently underway to identify key drivers, with early findings suggesting the trend aligns with national patterns.

7.2 By the end of Quarter 3 (December 2024), 46.70% (8,943 of 19,150) of routine council housing repairs for 2024/25 had been completed within 28 calendar days. This was affected by 4,850 older, non-urgent jobs issued before 1st April 2024. For the 14,300 jobs issued after 1st April 2024, 61.89% (8,850) were completed within 28 days, approaching the 70% target.

7.3 Next steps include analysing repair trends, contractor performance, tenant expectations, and recurring repair categories to determine factors contributing to the backlog. The Council will also gather qualitative feedback from tenants and operational teams to pinpoint any systemic issues.

7.4 To address these challenges in the short term, in addition to the two backlog contractors already in place, the Council is scaling up contractor capacity, with adjustments planned to meet the July 2025 target for resolving the backlog. Strategic initiatives to improve outcomes include focusing on first-time fixes, engaging contractors for specific work streams and putting in place more planned cyclical and preventative maintenance programmes. Regular reviews and ongoing staff and tenant engagement will ensure strategies remain responsive and effective.

7.5

7.6 Most damp and mould cases were addressed promptly, with only a small number remaining open for longer than three months. Upcoming legislative changes, including Awaab's Law, are expected to impose strict timelines for addressing such cases. Prioritising support for vulnerable tenants and ensuring they receive the necessary assistance is essential. Current remediation methods, such as cleaning and damp-proof paint, offer short-term solutions but often depend on tenants reporting recurring issues. Regularly improving processes, communicating clearly with tenants, and following legal requirements are key to reducing risks and achieving better results.

7.7 Performance data Repairs Backlog measures is included in the Appendices (Table 5).

8. Updates on Remaining Safety and Quality Compliance Areas

8.1 The Council's approach to gas, asbestos, carbon monoxide detection, and lifts compliance remains robust, with these areas not identified as requiring immediate action in the Regulator of Social Housing's (RSH) judgement. They are broadly considered compliant, reflecting the Council's commitment to maintaining high safety standards across its housing stock.

8.2 Performance data on Gas Safety (Table 6), Asbestos Management (Table 7), Carbon Monoxide detection (Table 8) and Lift Safety (Table 9) is included in the Appendices.

Gas Safety and Carbon Monoxide detection

8.3 Working with our heating & hot water contractor, the Council has ensured the safety of gas systems across the portfolio, with proactive measures such as welfare checks for tenants requesting gas supply capping due to personal circumstances. Tenant engagement remains central to resolving underlying issues, including welfare checks, support with fuel poverty and any resident vulnerability where relevant.

8.4 Gas servicing and inspections are conducted within statutory timelines, supported by clear record-keeping and contractor oversight. Any dwellings out of compliance are closely monitored. Should any issues arise with no access we address these robustly, albeit with a tailored approach for more vulnerable residents. This includes a process of early engagement where we have had historic access issues.

8.5 The Council is near compliant with carbon monoxide safety regulations. Carbon monoxide alarms are installed in all required properties and there is a robust programme of regular maintenance to guarantee their functionality alongside the gas appliance annual safety checks.

Asbestos Management

8.6 Asbestos safety is managed through surveys, risk assessments, and adherence to the Control of Asbestos Regulations 2012. All identified asbestos risks are monitored regularly, with a programme of periodic re-inspection surveys of communal areas as required. Clear communication with tenants about the presence and management of asbestos is maintained to ensure awareness and reassurance.

Lift Safety

8.7 The Council's lift maintenance and inspection regime meets the requirements of the Lifting Operations and Lifting Equipment Regulations (LOLER). Regular servicing is conducted to minimise downtime and ensure tenant safety. Where issues arise, responsive repairs are prioritised to maintain access and functionality, especially in high-dependency properties.

8.8 These compliance areas are underpinned by ongoing quality assurance processes and periodic audits to sustain standards and identify any opportunities for improvement. The Council will continue to monitor and adapt these programmes to ensure sustained compliance and tenant confidence.

9. Sustained Service Improvements: Becoming a 'great landlord'

- 9.1 The Council Plan has two priorities relevant to these ambitions: A fair and inclusive city with Homes for Everyone and A responsive council with well-run services by meeting the needs of our residents and other customers. To that end, a service improvement plan is being developed to support Brighton & Hove City Council becoming a 'great landlord'.
- 9.2 Customer intelligence from surveys, complaints, ombudsman decisions, and member enquiries will inform the development of the improvement plan. This plan will be co-produced with residents and staff with SMART actions that can be monitored.
- 9.3 The Housing Safety and Quality Recovery Programme is driven by this ambition, focusing on challenges identified in the Housing Health and Safety Compliance Review, the RSH judgement, and ongoing analysis. The RSH framework provides a valuable benchmark to ensure our actions align with industry standards and best practices.
- 9.4 In September 2024, the recovery programme was reviewed to ensure it aligns with our goals and maintains consistency across compliance workstreams. Ongoing review and learning are integral to our approach, with an Internal Audit Position Statement on Housing Health and Safety Regulations Compliance and further work planned to strengthen the programme and ensure it is as robust as possible. By continuously refining, we are building the foundation for a long-term transition to a proactive, fully compliant tenant focused Housing landlord service.
- 9.5 Transparency, accountability, and measurable progress are central to this approach. Monthly highlight reports and the development of the NECH system as a single source of housing compliance data ensure clear oversight. Updates to the Housing Compliance Board, Corporate Leadership Team (CLT), Cabinet members and Overview & Scrutiny Committee reflect our commitment to ensure that the safety and quality of our council homes remain our priority.
- 9.6 The programme addresses systemic challenges, including ageing housing stock and infrastructure, fragmented data, and resource gaps. Priorities include strengthening contract management, increasing council and contractor resources, moving toward more planned and preventative maintenance programmes and introducing SMART compliance monitoring systems to ensure improvements are both targeted and sustainable.
- 9.7 These measures are critical to delivering meaningful outcomes for tenants and residents. By March 2025, the root cause analysis will be completed, embedding a culture of learning and continuous improvement across the Council.

9.8 While the RSH framework guides our progress, our focus is on delivering tenant-first services that earn trust and meet expectations. This recovery programme goes beyond regulatory requirements, aiming to make Brighton & Hove City Council a benchmark for housing safety and quality through open communication, clear accountability, and continuous improvement.

10. Analysis and Consideration of Alternative Options

10.1 The Place Overview & Scrutiny Committee is invited to support the actions outlined in this report or provide feedback to enhance their implementation. The Committee's input is essential to ensure that our approach to compliance aligns with best practices and Council priorities.

11. Community Engagement and Consultation

11.1 Engagement with tenants and leaseholders remains a priority, with regular updates provided on the Housing, Health & Safety Review and the RSH regulatory judgement. Engagement activities include discussions at Housing Area Panels, the Leaseholder Action Group Annual Summit, and workshops at the Citywide Tenant Conference, ensuring residents are informed and their feedback is included.

11.2 Notwithstanding high levels of satisfaction reported by surveyed tenants with repairs, standard of work and overall customer service, tenant feedback has also highlighted concerns over multiple repair visits and delays, echoed by elected members. The qualitative review will explore these issues. By identifying recurring themes and streamlining workflows, the Council aims to improve repair efficiency, tenant satisfaction with completion of repairs first time we visit where possible, and overall operational performance.

11.3 Progress continues in LPS blocks through newsletters, tenancy visits, and drop-in sessions. Plans are in place to introduce resident safety champions, expand digital communication channels, and trial new engagement approaches using a test-and-learn model. Feedback has informed efforts to involve underrepresented groups, including young people and marginalised communities, through digital surveys and neighbourhood outreach.

12. Financial Implications

12.1 There are no direct financial implications as a result of the recommendations made in this report. The latest 2024/25 HRA budget includes a revenue budget of £2.689m and capital budget of £14.553m specifically relating to the Health & Safety works. Costs associated with the health & safety works

outlined in the main report are expected to be met from within this budget provision with any variations reported as part of the councils TBM process.

- 12.2** Future budget reports will continue to include these costs which will be approved on an annual basis, officers will closely monitor the costs associated with the works and report any variances via the councils TBM process.

13. Legal Implications

- 14.1** This report provides an overview of Brighton & Hove City Council's progress in addressing housing safety and quality compliance.
- 14.2** The Social Housing Regulation Act came into effect from 1 April 2024 and requires social landlords to comply with the standards set by the Regulator of Social Housing (RSH). On 9 August 2024 the Regulator of Social Housing issued a C3 regulatory judgment that there are serious failings in the Council as landlord delivering the outcomes of the consumer standards and significant improvement is needed specifically in relation to outcomes for the national Safety and Quality Standard.
- 14.3** The Regulator expects the Council as landlord to develop a plan that will drive significant change and to share that with tenants. The Regulator has very substantial powers of enforcement available but is not proposing to use enforcement powers at this stage, provided Brighton and Hove CC continues to seek to resolve these issues.
- 14.4** The issues identified in the report are relevant to multiple legal obligations and regulatory standards. As well as the RSH, compliance falls under the scrutiny of the Building Safety Regulator and the fire service.
- 14.5** There is the potential for the council to be exposed to compensation claims arising from disrepairs which have not been addressed on a reasonable timescale.

Name of lawyer consulted: Natasha Watson **Date consulted:** 15.1.25

14. Equalities Implications

- 14.1** The Council is committed to addressing the needs of vulnerable and marginalised groups through an equity-focused approach. Social housing often serves higher proportions of individuals from these communities, including older adults, people with disabilities, and minority groups. By improving housing quality to the required standards, we are not only ensuring safety and compliance but also making a meaningful equity impact, reducing disparities, and enhancing health and wellbeing for those most affected by systemic inequalities.

15. Sustainability Implications

15.1 Safety and compliance measures provide an opportunity to align with the Council's sustainability goals. This includes improving energy efficiency through enhanced insulation and adopting sustainable materials in remediation projects, contributing to both resident comfort and reduced carbon emissions.

16. Health and Wellbeing Implications

16.1 The quality and safety of housing significantly impact the health and wellbeing of residents. Compliance measures, including improvements in fire safety, electrical systems, and water safety, are integral to creating safer and good quality living environments. These efforts will also support the reduction of health inequalities, particularly for residents affected by fuel poverty or chronic conditions.

17. Conclusion

17.1 The Place Overview & Scrutiny Committee is asked to review this report and feedback on the planning and progress toward achieving full compliance. The Committee's oversight is sought to ensure transparency, accountability, and alignment with regulatory requirements.

18. Appendices

Appendix A: Safety & Quality Compliance Performance Data

Appendix A: Compliance Safety & Quality Data

Table 1: Fire Safety Compliance Data

	Feb 24	April 24	June 24	July 24	Aug 24	Sept 24	Oct 24	Nov 24	Expected date of Compliance
FRAs in high risk buildings (% of buildings)	100%	100%	100%	100%	100%	100%	100%	100%	Compliant
FRAs in non-high risk buildings: 1st phase (% of buildings)	99.8%	100%	100%	100%	100%	100%	100%	100%	Compliant
FRAs in non-high risk buildings: 2nd phase (% of buildings)	-	-	20.9%	57%	78.22%	92.9%	93.5%	99.1%	December 24
FRA remediation actions	1,748	-	4,253	6,472	-	8,228	8,142	8,114	December 26

Table 2: Water Safety Compliance Data

	Feb 24	April 24	June 24	July 24	Aug 24	Sept 24	Oct 24	Nov 24	Expected date of Compliance
Legionella Risk Assessments (% of water systems covered)	-	-	-	79.0%	77.5%	77.5%	78.1%	Month time lag from contractor(s)	July 2025

Table 3: Electrical Safety Compliance data

	Feb 24	April 24	June 24	July 24	Aug 24	Sept 24	Oct 24	Nov 24	Expected Compliance
5 Year EICR domestic testing (% of homes)	42.9%	49.1%	53%	55.8%	57.4%	60.1%	63.2%	66.4%	December 2026
10 Year EICR domestic testing (% of homes)	66.6%	70.1%	72%	73.7%	74.9%	76.4%	78.1%	80%	
Communal EICRs (% of communal areas)	5.3%	14%	20.8%	22.0%	29.4%	33%	37.6%	39.3%	December 2026 (high rise and conversions by Dec 2024)

Table 4: Smoke Alarm Detectors Compliance

	Feb 24	April 24	June 24	July 24	Aug 24	Sept 24	Oct 24	Nov 24	Expected date of Compliance
Smoke alarms/detectors (% of homes)	50.8%	77%	81.5%	83.6%	86.5%	89.4%	92.9%	94%	December 2026

Table 5: Routine Repairs Compliance Data

	Feb 24	April 24	June 24	July 24	Aug 24	Sept 24	Oct 24	Nov 24	Expected date of Compliance
Routine repairs jobs open for more than 28 days	-	-	9,653 (incl. TA &EA)	7,250 (incl. TA & EA)	7,923 (incl. TA &EA)	6599	6222	6578	July 2025

Table 6: Gas Safety Compliance Data

Gas/ Fuel Safety	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
Communal Boilers certification in date - annual	100%	100%	100%		100%	100%	100%	100%
Domestic dwellings certification in date – annual	100%	99.97%	100%		100%	100%	100%	100%
Properties with a capped gas supply - reduction in nos.	77	23	40		32	32	23	24

Table 7: Asbestos Safety Compliance Data

Asbestos Safety	April	May	June	July	Aug	Sept	Oct	Nov
Common ways – Total rolling compliance	98.53%	98.90%	99.4%	99.8%	90.1%	99.6%	97.0%	98.4%
Asbestos Re-inspection programme – Common ways rate of progress						17.06%	56.70%	83.7%

Table 8: Carbon Monoxide Detector Compliance

	Feb 24	April 24	June 24	July 24	Aug 24	Sept 24	Oct 24	Nov 24
Total CO2 detection in domestic dwellings			97.79% (May)		91.4%	96.6%	97.4%	97.3%

Table 9: Lift Safety Compliance Data

Lift Safety (lifts & lifting equipment)	April	May	June 24	Jul 24	Aug 24	Sept 24	Oct 24	Nov 24
Communal (Passenger) lifts (LOLER) servicing	100%	100%	100%	100%	100%	100%	100%	100%
Domestic lift and stair lift, equipment servicing	100%	1000%	100%	100%	100%	100%	100%	100%

