

Brighton & Hove City Council

Place Overview & Scrutiny Committee

Agenda Item 36

Subject: Housing Safety and Quality Compliance Update

Date of meeting: 22 September 2025

Report of: Chair of Place Overview & Scrutiny

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Wards 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 Tower tragedy reforms.
- 1.2 A report responding to the RSH judgement was reviewed by the Place Overview & Scrutiny Committee on 23 September 2024. A further report updating our progress in response to the issues raised in the RSH judgement was reviewed by the Place Overview & Scrutiny Committee on 21 January 2025. Regular updates are provided to Scrutiny to ensure cross-party oversight of actions addressing the Regulator's findings.
- 1.3 Regular updates reports are also presented to Cabinet. In May 2025, Cabinet considered a Housing Safety and Quality Compliance Update. A feature of the May 2025 Cabinet report was a new comprehensive root cause analysis, which explores the underlying reasons for previous compliance failures and systemic challenges, to inform a sustainable improvement plan. The root cause analysis is intended as a platform for organisational learning, culture change, and shared ownership. It is a reflective account for residents, staff, and elected members of how the council got here,

our learning and how we will move forward. This work supports our improvement planning and is intended to ensure that the drivers of and learning from non-compliance are fully understood and addressed.

- 1.4 This report is an update on our positive progress in areas identified by RSH as not compliant and continued compliance in areas where the council met the RSH Safety & Quality Standard, incorporating the latest data from July 2025. It outlines actions taken, challenges encountered, and next steps to achieve compliance. The report 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

- 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 new Fire Safety Lead has been appointed, with appointments also made to additional roles, including Fire Safety Surveyor and Contract Manager.
- 3.2. The council is compliant in respect of undertaking fire risk assessments where required. It is best practice to undertake Fire Risk Assessments (FRAs) for High Rise blocks every year. In 2024, the council completed a large number of Fire Risk Assessments (FRAs) in a compressed timeframe. In 2025, a more phased approach has been adopted, with assessments scheduled from January to September. This change supports better planning and coordination of both assessments and resulting remediation actions.
- 3.3. Although the total number of Fire Safety remediation actions remains high, progress continues to be made. As of July 2025, the number of FRA remediation actions has reduced to 4855 from 6,420 as of March 2025 reported to May Cabinet. In the January 2025 Scrutiny report, 8,114 actions were reported from the new set of Fire Risk Assessments (FRAs) which had been undertaken to provide an up to date set of risk assessments and remediation actions for our council blocks.
- 3.4 The most common high-risk actions identified through our Fire Risk Assessments relate to fire doors remediation or replacement, signage, communal electrical systems, compartmentation, and ventilation. These themes are consistent across

our housing stock and reflect known areas of historic underinvestment. We have established, or are in the process of mobilising, planned programmes of work to address each of these risk areas.

- 3.5. The 2025 round of FRAs for high-rise buildings is providing clearer insights in to recurring safety themes across our stock. In parallel, work is underway to update our Programme Plan and build a more robust estate-by-estate strategy that better reflects building risk, resident impact, and regulatory expectations.
- 3.6. Performance data on Fire Safety Compliance measures is included in the Appendices (Appendix A) and reflects progress on Fire Risk Assessments and reducing the number of remediation actions.

4. Water Safety

- 4.1. Due to challenges the council has faced in reporting against indicators related to water safety we are changing our approach, including shifting from systems-based reporting to building- level reporting, which better reflects how the service is managed in practice – one risk assessment per building - and is simpler to track and validate. The council will continue to monitor water systems annually, in line with the requirements of the Tenancy Standard Measures (TSM) set by the Regulator for Social Housing.
- 4.2. Recruitment of a specialist Water Safety Manager is underway, with an appointment expected by the end of September. Our Procurement Forward Plan for 25/26 includes a Housing contract to deliver water compliance testing (legionella) and planned preventative maintenance.
- 4.3. We are currently reviewing water data but can report that we have completed 81% of Legionella Risk Assessments as of June 2025, compared with 62.1% in March 2025. All Risk Assessments for Higher Risk properties are complete and the focus is now on medium-risk properties, where access and data validation remain challenges.
- 4.4. Performance data on Water Safety Compliance measures is included in the Appendices (Appendix A) and reflects progress with increasing risk assessments.

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.
- 5.2. 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.

- 5.3. In the January 2025 Scrutiny report, 66.4% of domestic dwellings achieved satisfactory certification within a 5-year testing cycle. Our most recent report to May Cabinet showed that as of March 2025, 75.5% of domestic dwellings achieved satisfactory certification within a 5-year testing cycle. This has increased to 87.1% as of July 2025. Clear work programmes, policies for addressing no-access properties and ongoing communication with residents have been critical to maintaining momentum.
- 5.4. Performance data on Electrical Safety Compliance measures is included in the Appendices (Appendix A)

6. Smoke Detector Compliance

- 6.1 Ensuring that our homes have robust smoke detector systems remains a priority. In the January 2025 Scrutiny report 94% of homes were reported as having smoke alarms/detectors. As of March 2025, figures reported to May Cabinet, 97.7% of homes had smoke alarms/ detectors. July 2025 data shows 98.9% smoke detector coverage across council homes. A dedicated resource for smoke detection is in place, and the IT system highlights properties lacking compliance. This enables Council staff to proactively visit these homes, ensuring smoke detection installation. All remaining properties with no record of smoke detection have either a planned appointment, are empty and undergoing refurbishment or we are being proactively engaged to arrange installation.
- 6.2. As part of the electrical testing programme in council homes, hard-wired smoke alarms and carbon monoxide detectors (for properties with gas) are being installed. These devices include smart home capabilities, providing enhanced fire safety provision with real time monitoring, and improved efficiency by providing remote diagnostics.
- 6.3. Performance data on Smoke Detector Compliance measures is included in the Appendices (Appendix A)

7. Routine Repairs

- 7.1. Addressing the routine repairs backlog has been a key priority following the Regulatory Judgement of August 2024. At its peak, the backlog had a significant impact on resident experience. While lower risk, many of the delayed jobs were longstanding and complex, reflecting wider capacity, resourcing, and systems issues within the service.
- 7.2. The council has made substantial progress in reducing the overall volume of open repairs. This has been achieved through targeted planning, contractor mobilisation, and a clear focus on both risk prioritisation and clearing the oldest cases. This recovery work continues to be closely managed and monitored. In the January 2025 Scrutiny report the backlog in routine repairs was reported as 6578. As of March 2025, figures reported to May Cabinet, the backlog stood at 4,134 repair jobs open for more than 28 days. The number of outstanding repairs over 28 days has dropped to 2,622 as of July 2025, a reduction of over a half since the report to January Scrutiny Committee. The Service remains fully committed to continuing to reduce the remaining backlog in routine repairs.

7.3. Performance data on Routine Repairs Backlog is included in the Appendices (Appendix A)

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. An update on compliance in these areas is included in Appendix A.

Gas Safety and Carbon Monoxide detection

8.2. The Council, in partnership with its heating and hot water contractor, has ensured the safety of gas systems across its housing portfolio, including proactive welfare checks for tenants requesting gas supply capping due to personal circumstances. Tenant engagement remains central to addressing underlying issues such as fuel poverty and resident vulnerability. As of July 2025, the council was 100% complaint with communal and domestic dwelling gas safety certification.

8.3. Gas servicing and inspections are carried out within statutory timelines, supported by robust record-keeping and contractor oversight. Properties that fall out of compliance are closely monitored, with access issues addressed promptly and sensitively, particularly where residents are vulnerable. A process of early engagement is in place for homes with historic access challenges.

8.4 As of July 2025, the Council was 99.7% complaint with carbon monoxide safety regulations to provide detection in all domestic dwellings. Carbon monoxide alarms are installed, and there is a robust programme of regular maintenance to guarantee their functionality, alongside the gas appliance annual safety checks.

Asbestos Management

8.5. 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.

8.6. There is a rolling programme of annual asbestos safety checks to our building common ways. As of July 2025, this was at 98.4% compliance with the rate of total rolling compliance.

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. As of July

2025, the council is 98.3% complaint in relation to communal passenger lift servicing.

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.

8.9. Performance data on Gas Safety, Asbestos Management, Carbon Monoxide detection, and Lift Safety is included in the Appendices (Appendix A).

9. The historical context of the council's housing stock

9.1. The council's social landlord duties cover 12,145 rented properties and 2,210 leasehold properties (January 2025). This includes 46 high-rise blocks, of which eight are Large Panel System (LPS) buildings.

9.2. Flats and maisonettes represent 65 percent of the council's rented homes (including Seaside Homes). These building types typically require more intensive compliance activity, particularly in relation to fire, water, electrical, lift, asbestos and structural safety in shared or communal areas. The remaining 35 percent of the stock consists of houses and bungalows, which present fewer compliance challenges. The council also retains freehold responsibility for more than 2,000 leasehold properties located within blocks of flats, further increasing the proportion of homes where additional compliance duties apply.

9.3. Much of the current housing stock was developed during periods of high demand and less stringent regulation. 62% of council rented homes were built before 1966, with 23% built before 1946 (figures include Seaside Homes). Over time, budget constraints have contributed to a historic underinvestment in planned maintenance, improvements and long-term asset resilience. This has left the council owning and managing a significant number of ageing properties that were not designed or maintained to meet current health and safety regulations or quality and sustainability standards.

10. Sustained Service Improvements: Becoming a Great Landlord and Root Cause Analysis

10.1. The Council Plan has two priorities relevant to these actions: 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, we continue to develop service improvement plans to support Brighton & Hove City Council becoming a Great Landlord.

10.2. Workshops were held in April 2025 with staff and tenants to explore recurring themes identified in complaints, ombudsman decisions, member enquiries and other engagement. A continuous improvement action plan 'Creating Great Homes Together' has been drafted as a result, on which we will undertake public consultation.

10.3. This developing plan sits alongside other SMART action plans addressing compliance gaps and improvements across the regulatory framework.

- 10.4. In response to the C3 Regulatory Judgement, the council has undertaken a root cause analysis to understand the reasons for non-compliance with the RSH Safety and Quality Standard and to prevent recurrence. The analysis reveals that the issues stem not only from operational failures but also from deeper systemic and cultural challenges. While some corrective actions have begun, the findings clarify the structural, cultural, and delivery changes needed to achieve lasting compliance and improve outcomes for residents.
- 10.5. This work supports the Council Plan priorities of 'Homes for Everyone' and 'A Responsive Council with Well-Run Services', and the Housing Strategy priority of 'Improving Housing Quality', including compliance with the Building Safety Act and reducing the housing repairs backlog.
- 10.6. Insights were drawn from data reviews, interviews with key staff, and structured workshops. The analysis identifies six interdependent themes: Resident Voice, the service was not always responsive to resident concerns; Leadership and culture, reflecting on providing the platform for effective governance and decision making; Data quality & use, reflecting upon inconsistency of data use and quality and lack of system integration; Workforce Capacity & Capability, limited workforce capacity and inconsistent empowerment; Prioritisation & Focus, ensuring that resources were aligned with long-term asset and compliance resilience; Responsibility for Compliance and Adaptation, requiring proactive monitoring and response to emerging risks.
- 10.7. The six themes from our root cause analysis have been reframed as priorities for organisational change. We are adopting a strengths-based approach that focuses on learning from and addressing areas for development, as well as systems that support us to be a Great Landlord.
- 10.8. Strengthening each of these areas and improving their alignment is essential for sustainable improvement. The council remains committed to continuous learning and collaborative action, using this analysis as a foundation for building a robust improvement plan with internal teams, residents, and elected members.
- 10.9. Transparency, accountability, and measurable progress are central to this approach. Monthly highlight reports and the development of the core Housing, NECH system as a single source of housing compliance data ensure clear oversight. Updates to the Housing Safety & Quality Assurance 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.
- 10.10. More detail on the Root Cause Analysis is included in the Appendices (Appendix B) in addition to the accompanying Root Cause Analysis Improvement Plan (Appendix C).

11. Analysis and consideration of alternative options

11.1. The Place Overview & Scrutiny Committee is invited to support the actions outlined in this report or provide feedback. The Committee's input will support our approach to aligning compliance with best practice and Council priorities.

12. Community engagement and consultation

12.1. Engagement with tenants and leaseholders remains a priority, with regular updates provided on housing safety & quality compliance. Engagement activities include discussions at Housing Area Panels, bespoke workshops, and our upcoming annual tenant engagement event in September 2025, ensuring residents are informed and their feedback is included.

12.2. New engagement approaches using a test-and-learn model to co-produce improvements are in progress and being explored through the Creating Great Homes – Continuous Improvement Plan.

12.3. Feedback has informed efforts to involve underrepresented groups, including young people and marginalised communities, through digital surveys and neighbourhood outreach.

13. Financial implications

13.1. This aligns with the HRA budget for 2025/26, which provides £1.1m in revenue funding for health and safety, including investment in staff resources and the appointment of a Head of Regulatory Compliance to oversee requirements and delivery. The budget also allocates £14m for capital works to support ongoing compliance.

13.2 Future budget reports will continue to reflect these costs and will be subject to annual approval. Officers will monitor expenditure closely and report any variances through the council's TBM process. Should additional revenue costs arise, such as the need for a waking watch in affected blocks, the use of general reserves will be considered if these costs cannot be managed through TBM.

Name of finance officer consulted: Ferrise Hall Date consulted 08/09/2025

14. Legal implications

14.1. This is a report for note and comment. While not a legal requirement it is good practice and in accordance with the Social Housing Regulator requirements. It is to be noted that the Regulator will continue to seek data and assurances as to compliance. The current C3 evaluation can be changed if the Regulator deems it to be appropriate. We also note that East Sussex Fire and Rescue operate both independently and in association with regulators around fire safety and in particular with regards to tall buildings (the consequence of Grenfell). They will also be reviewing fire safety compliance and can take enforcement action.

Name of lawyer consulted: Simon Court Date consulted 12/09/25:

15. Equalities implications

15.1. The Council is committed to addressing the needs of vulnerable and marginalised groups based on our approach as a learning organisation in terms of diversity and inclusion. Social housing often serves higher proportions of individuals from vulnerable or marginalised 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 impact on socio-economic and health inequalities for these groups.

16. Sustainability implications

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

17. Health and Wellbeing Implications

17.1. 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

18.1 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.

Supporting Documentation

1. Appendix A Housing Compliance Data
2. Appendix B Root Cause Analysis – Identifying the Causes
3. Appendix C Root Cause Analysis Improvement Plan

