



## Housing Management and Almshouses Sub (Community and Children's Services) Committee

**Date:** WEDNESDAY, 17 APRIL 2024  
**Time:** 11.00 am  
**Venue:** COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

**Members:** Ruby Sayed (Chairman)  
Helen Fentimen OBE JP (Deputy Chairman)  
Joanna Tufuo Abeyie  
Jamel Banda  
Mary Durcan  
Deputy John Fletcher  
Steve Goodman OBE  
Alderswoman Susan Pearson  
Henrika Priest  
Ceri Wilkins

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**Ian Thomas CBE**  
**Town Clerk and Chief Executive**

# AGENDA

## Part 1 - Public Reports

1. **APOLOGIES**

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

3. **MINUTES**

To approve the public minutes and non-public summary of the meeting held on 30 January 2024.

**For Decision**  
(Pages 5 - 12)

4. **OUTSTANDING ACTIONS**

Members are asked to note the Sub-Committee's Action Tracker.

**For Information**  
(Pages 13 - 14)

5. **ACCESS AUDIT REMEDIAL PROJECT**

Report of the Executive Director, Community and Children's Services.

**For Information**  
(Pages 15 - 18)

6. **HOUSING MAJOR WORKS PROGRAMME - PROGRESS REPORT**

Report of the Executive Director, Community and Children's Services.

**For Information**  
(Pages 19 - 32)

7. **FINANCIAL SUPPORT FOR MAJOR WORKS**

Report of the Executive Director, Community and Children's Services.

**For Information**  
(Pages 33 - 54)

8. **TENANT SATISFACTION MEASURES - SURVEY RESULTS**

Report of the Executive Director, Community and Children's Services.

**For Information**  
(Pages 55 - 72)

9. **COL ALMSHOUSES REVENUE & CAPITAL BUDGETS 2023/24 AND 2024/25**  
Report of The Chamberlain and The Executive Director, Community and Children's Services.  
**For Information**  
(Pages 73 - 78)
10. **HOUSING COMPLAINTS UPDATE**  
Report of the Executive Director, Community and Children's Services.  
**For Decision**  
(Pages 79 - 108)
11. **HOUSING COMPLIANCE POLICIES**  
Report of the Executive Director, Community and Children's Services.  
**For Decision**  
(Pages 109 - 154)
12. **REASONABLE ADJUSTMENTS POLICY**  
Report of the Executive Director, Community and Children's Services.  
**For Decision**  
(Pages 155 - 168)
13. **FIRE SAFETY UPDATE - HRA PROPERTIES**  
Report of the Executive Director, Community and Children's Services.  
**For Information**  
(Pages 169 - 176)
14. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB COMMITTEE**
15. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
16. **EXCLUSION OF THE PUBLIC**  
MOTION - That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A of the Local Government Act.

## Part 2 - Non-Public Reports

17. **NON-PUBLIC MINUTES**

To approve the non-public minutes of the meeting held on 30 January 2024.

**For Decision**  
(Pages 177 - 178)

18. **HOUSING REPAIRS AND MAINTENANCE CONTRACTS - PROCUREMENT  
STAGE 1 REPORT**

Report of the Executive Director, Community and Children's Services.

**For Information**  
(Pages 179 - 208)

19. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB  
COMMITTEE**

20. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND  
WHICH THE SUB COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE  
PUBLIC ARE EXCLUDED**

**HOUSING MANAGEMENT AND ALMSHOUSES SUB (COMMUNITY AND CHILDREN'S SERVICES) COMMITTEE**  
**Tuesday, 30 January 2024**

Minutes of the meeting of the Housing Management and Almshouses Sub (Community and Children's Services) Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Tuesday, 30 January 2024 at 11.00 am

**Present**

**Members:**

Ruby Sayed (Chairman)  
Helen Fentimen (Deputy Chairman)  
Jamel Banda  
Mary Durcan  
Deputy John Fletcher  
Steve Goodman  
Alderman Susan Pearson  
Henrika Priest  
Ceri Wilkins

**Officers:**

Pam Wharfe	- Interim Director Assistant Housing
Liam Gillespie	- Community and Children's Services
Jason Hayes	- Community and Children's Services
Michael Gwyther-Jones	- Community and Children's Services
David Blane	- Community and Children's Services
Polly Dunn	- Town Clerk's Department
Rhys Campbell	- Town Clerk's Department

**1. APOLOGIES**

No apologies were received for this meeting.

**2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

No declarations were made at this meeting.

**3. MINUTES**

**RESOLVED** – That the public minutes and non-public summary of the meeting held on 29 November 2023 be approved as a correct record.

#### **4. OUTSTANDING ACTIONS**

The Sub-Committee received the actions tracker and noted the following:

1. Regarding the action in respect of vehicle charging points, feasibility studies identified that many of the sites needed more remedial work to the electrical installations than originally anticipated. The Chair highlighted the changes that were expected regarding the abolition of the purchase of fossil fuel consuming motor vehicles and encouraged officers to look at infrastructure, and more innovative technologies that were available for use on City of London Corporation's estates.

2. An officer provided an update on automatic door devices in which they confirmed that an access audit was to be conducted across all of the estates and a report shall be brought to the Sub-Committee at its next meeting advising Members of the next steps needed.

3. The Chair had asked for a report to be brought to the Committee at its next meeting regarding the arbitration panel being a part of the complaints process,

4. An officer provided an update concerning the new repairs and maintenance contract, advising Members that the consultant (Pennington) tender documentation and that all issues had been discussed with Pennington and raised with both the Corporation's Legal team and Procurement team. In response a Member asked when the Sub-Committee shall be able view and comment on the tender document, and it was agreed that once a draft had been produced that it shall be circulated to Members for comment.

5. A member raised a question regarding the September 2022 Customer Service Review and asked officers for the results of this exercise and what actions the City of London Corporation had taken already; the potential costs to the Housing Revenue Account (HRA) were mentioned also. Officers confirmed that repairs dominated the review, and a resident focus project was formed which aimed to improve policies, procedures and service standards. A report showing the results of this review had been expected to be submitted to the Sub-Committee in June 2023 but officers were content to circulate to Members after this meeting and also for it to be included on the agenda as an item for information at the next meeting.

#### **5. HOUSING GOVERNANCE ARRANGEMENTS**

The Sub-Committee received a report which considered the current governance arrangements and recommends how these arrangements should be provided in the future.

The Assistant Town Clerk advised the committee that the report had already been considered by the Community and Children's Services Committee, the Barbican Residents Committee and the Barbican Estate Residents Consultative Committee. The Assistant Town Clerk advised Members that the decision

sought by this Committee was whether it had any feedback to the recommendations listed in the report that it would like to make to the Community and Children's Services Committee.

The Chair asked if more clarity could be given on the annual workplan and was keen to know when an update would be given to the Sub-Committee to which officers confirmed that this would be provided at the next meeting.

A member raised a concern, which had previously been raised at the Community and Children's Services Committee meeting held on 25 January 2023, that it was of their opinion that the Chair of the Community and Children's Services Committee should not be Chair of the Housing Management and Almshouses Sub-Committee. The creation of a wider management team and a demanding workload were highlighted as factors for their concern.

**RESOLVED**, that - Members agreed, to the recommendations listed in the report.

## 6. **HOUSING MAJOR WORKS PROGRAMME - PROGRESS REPORT**

The Sub-Committee received a report of the Executive Director, Community and Children's Services providing an update on the Housing Major Works Programme.

During the discussion and questions, the following points were noted:

- Work on wider windows had been continuing and consultation on William Blake Estate had begun. Officers were exploring all possible technologies available including vacuum glazing.
- There had been advancements on Golden Lane Estate and a pilot project had been ongoing at Crescent House. Feedback regarding this project had exceeded officers' expectations, as the pilot project had received positive reviews, and officers confirmed that vacuum glazing had helped to improve thermal comfort inside the property due to the creation of effective insulation. Officers informed the committee that an architect had been living in the property to ensure that the property is properly tested to its full potential; the architect had been monitoring heating costs and testing the creation of moisture and humidity within the property. Officers also met with residents in the week prior to demonstrate how the ventilation system works.
- Officers referred to the appendices of this report, explaining the data presented and asked Members for feedback in terms of how to better present this information. An update on Avondale Estate was provided and majority of works there had been completed however there were certain clashes with other programmes (Cadent replacing the Gas Infrastructure) whilst also managing several contractors on site which consequently caused a temporary pause on certain works due to be carried out. Officers advised that the estimated costs listed in the

appendices were unfunded and that a quantitative surveyor had been tasked with revising these costs to ensure that they were current to modern day values and to ensure any inflation had been applied. A member acknowledged that a good number of works had been completed under budget however was concerned as to why costs were not predicted closer to outcome. It was suggested that the estimated costs of £110 Million had not been met and as a result the Member suggested that the underspend could be used for unfunded projects. Whilst officers were optimistic that this could be a possibility, they informed Members that this was dependant on the costs of a project as these tended to vary, however officers confirmed that they strived to come under budget where possible.

- The Deputy Chair asked if officers could arrange for a separate session for Members regarding the Housing Revenue Account where there could be a discussion regarding concerns raised. The Chair confirmed that an informal session with both Members of Community and Children's Services Committee and this Sub-Committee shall be arranged once the relevant reports had been commissioned. The Chair thanked officers for their work and acknowledged that completing a project whilst under spending was great achievement compared to previous projects.
- Regarding communal heating installation on Middlesex Street Estate, a member was pleased to see that the installations within Petticoat Tower had been completed, barring five properties, and asked officers for an update regarding these five properties. Officers advised Members that they were progressing well with the remainder of the properties left and were gaining access to these properties via the appropriate channels.
- A Member asked for an update regarding the replacements of windows at Windsor House and asked if officers were able to accelerate the process. Officers confirmed that they would investigate further and return to committee with an update.

**RESOLVED**, that - the report be received and its contents noted.

## 7. **TENANT SATISFACTION SURVEY RESULTS 2023-2024**

The Sub-Committee received a report of the Executive Director, Community and Children's Services, providing an update on the planned survey of the City Corporation's tenants.

Officers informed the committee that this was the first year that the tenant satisfaction survey became mandatory, and the results were expected to be supplied to the Social Housing Regulator by 30 June 2024. Performance had increased since the last survey, however repairs needed improvements in the years to come. More analysis of the results was expected to be conducted and a report was expected to be produced for the next meeting. A member asked officers why there were tenants who had not completed the survey and whether an 18% return rate was good in comparison to previous return rates.



Officers responded to Members and explained that there was no clear reason as to why tenants had not filled out the survey, alluding to multiple factors such as personal preference, and that the minimum return rate was based on the tenant population. Acuity, the social housing consultancy firm who conducted the survey, calculated the number needed to meet the central government threshold and officers suggested that the City Corporation would exceed this threshold in the following year. However, the statistics were reliable since there were more tenant responses than both tenant and leaseholders combined in previous years.

A Member asked officers if there was more work that the City of London Corporation could do to help tenants who were struggling with the impact of the current cost of living. Officers confirmed that whilst there were ongoing initiatives, such as the Green Doctors Scheme and Winter Measures Programme, there could be more work to be done and if Members had any areas that they would like further insight on that these areas could be included in the next Tenant Satisfaction Survey.

Members asked whether before the strategy for engagement for the following year had been finalised if the allocated Members for each of the estates could be considered to provide any feedback or suggestions in regards to improvements of the housing estates, to which the Chair confirmed that Members would have a chance at the next meeting to raise any questions or concerns.

A Member asked officers what percentage of the homes situated on the City of London Corporation estates were not described as “decent” and if residents had been informed of the allocation of one survey per household. Officers advised Members that in the ensuing year tenants were to be informed that the survey invitation is personal to each household and should not be forwarded onto others. Regarding the statistics requested by Members, officers confirmed that they would return with further information which shall be included in a report expected to be brought to the next committee meeting. Officers highlighted to Members that whilst the decent homes standard was outdated the data, however, suggested that the City of London Corporation was compliant and whether people were to consider it a “decent” home was a complicated matter. The Deputy Chair was keen to know if there were any properties that did not meet this specific standard and what work could be done to rectify this. Officers confirmed that if there were some that did not meet this standard that the decent homes callback programme can be used to identify these properties.

Regarding the issuing of the Tenant Satisfaction Survey, a Member encouraged officers to ensure that these were being properly received by tenants since their neighbour had not received theirs. Officers confirmed that next year they will reconsider how they conduct these surveys; reminders and phone calls were mentioned. Officers also confirmed that there was a vast number of contact information available to them for both tenants and leaseholders, and that they tended to receive a lot of responses via email. A member enquired about the percentage of contact information attained to which

officers confirmed that they would return with statistics at the next committee meeting.

A Member asked officers if this survey was routinely carried out at the same time of year each year and officers confirmed that there was not a definitive routine but would try to get the surveys conducted in a regular cycle.

**RESOLVED**, that - the report be received and its contents noted.

**8. SECURE TENANTS: RENT SETTING 2024-25**

The Sub-Committee received a report of the Executive Director, Community and Children's Services, providing an update on the current rent setting policy.

A Member asked officers whether tenants in receipt of Housing Benefits or Universal Credit would be covered by these benefits mentioned regarding the increase to their rental charge. Officers confirmed that tenants would be covered by these benefits.

**RESOLVED**, that - the report be received and its contents noted.

**9. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB COMMITTEE**

A Member asked if the Committee could receive a report which provided further details on the progress of the new buildings and projects being constructed to which the Chair advised that this question was related to an item of business which would be picked up under item 10.

**10. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

Chair discussed the target set for the building of social and affordable housing and how this was not expected to be achieved in the estimated time given and suggested for these targets to be reset. The Chair asked for a report to be brought to committee at a later date and asked officers to provide more information on the matter. Officers confirmed that the original target had been to build 3,700 new homes; 700 of which are to be social housing units developed on existing housing estates and a further 3,000 on land acquired by the City of London Corporation. They expected that by the end of 2025, 370 of the 700 units will have been built and identified potential for further developments on other estates. Officers informed the committee that an estimated timeline had not been established in the initial report concerning the building of social housing and that officers can report to Members a target that might be more feasible. In regards to Avondale Estate, and its potential for the development of social and affordable housing, this would require demolition and regeneration of the estate to which officers suggested investigating a different approach due to financial constraints.

It was confirmed that a report would be brought to the next committee meeting detailing the status of affordable housing built, in relation to the 3,700 target,

and the expectations of the London Wide Plan and what the City of London Corporations' local plan originally set out to achieve.

**11. EXCLUSION OF THE PUBLIC**

**RESOLVED** – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act.

**12. NON-PUBLIC MINUTES**

**RESOLVED** – That the non-public minutes of the meeting held on 29 November 2023 be approved as a correct record.

**13. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB COMMITTEE**

There were two non-public questions.

**14. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE SUB COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There was no other business.

**The meeting ended at 12:18pm.**

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Chairman

**Contact Officer: Rhys Campbell**  
**rhys.campbell@cityoflondon.gov.uk**

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## Community & Children's Services

### Members Update

Date Added	Subject	Action Agreed	Responsible Officer	Target Meeting Date - HMASC	Update
22.02.2021	Vehicle charging points at Middlesex Street and Golden Lane.	Members noted that it would still be possible to apply for funding for the 2021/22 financial year, and Members will be updated once the initial report is received from the consultants.	Pam Wharfe	November 2023	Our consultant, WSP has completed the assessments across our estates and submitted its reports. WSP is preparing a specification to procure the works and, an application for funding. Verbal Update at April meeting.
08.07.2022	Automatic door devices.	Report to be provided with further detail on automatic door-opening devices at estates	Liam Gillespie/Pam Wharfe	November 2023	Report to be seen at HMASC April 24.
17.04.2023	Arbitration Panel as part of the Complaints Process.	Look at introducing Arbitration Panel to review complaints before referral to Housing Ombudsman.	Liam Gillespie	January 2024	Report on the agenda for 17.4.24
17.04.2023	New Repairs and Maintenance Contract to include consideration of compensation to be paid by contractor to residents for its failings.	Review the introduction of contractor compensation and incentivisation clauses in new R&M contract. Liaise with colleagues in legal and City Procurement.	Michael Gwyther-Jones	March 2024	
17.04.2023	Housing Complaints Compensation Policy	Members to see the Housing Complaints Policy as part of a report into Housing Complaints generally.	Liam Gillespie	January 2024	Report on the agenda for 17.4.24

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<b>Committee(s):</b> Housing Management and Almshouses Sub-Committee– For Information	<b>Dated:</b> 17/04/2024
<b>Subject:</b> Access Audit Remedial Project	<b>Public</b>
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>	1, 2, 3, 4, 12
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>Y</b>
<b>If so, how much?</b>	<b>£TBD</b>
<b>What is the source of Funding?</b>	
<b>Has this Funding Source been agreed with the Chamberlain’s Department?</b>	<b>N</b>
<b>Report of:</b> Judith Finlay Executive Director of Community and Children’s Services	<b>For Information</b>
<b>Report author:</b> Jason Hayes, Head of Major Works	

## Summary

This report outlines progress made with the access audit remedial project for City of London Housing Estates. This is following an accessibility audit which assessed how well City of London estates performed with regards to access in and around the estate.

Whilst this report provides a brief update, the project requires authorisation through the necessary steps of the Corporation’s governance structure and project processes.

## Recommendation(s)

Members are asked to:

- Note the report.

## Main Report

### Background

1. An accessibility audit was completed by Direct Access Consultancy Ltd over several months in 2022. With recommendations made per estate. The audit

assesses the buildings against the Equality Act 2010 as well as other codes of practice and Building Regulations where applicable.

2. The audit assessed approaches into the estates, routes, steps, signs, ramps, means of escape, corridors and other provisions that help make access easier and compliant.
3. The audit was undertaken in two parts, the first being information gathering by visiting the site and then results, and recommendations, made via the report, together with priorities.

## **Current Position**

4. A full review has been undertaken by the Major Works Team to identify what work is to be prioritised and what work has been undertaken to date.
5. Work completed as part of the capital works programme will have had a positive impact to protected characteristics of residents or their visitors. This can include accessible bathroom adaptations as part of the decent homes project or adaptations to doors as part of the fire door replacement project. Any replacement work within the capital works programme will usually require compliancy with the latest Building Regulations, such as approved document Part M, which ensures that people are able to access and use the buildings, and their facilities. With each new project a Test of Relevance is undertaken before deciding if the work requires a full Equality Impact Assessment.
6. The project manager for the access audit remedial work has set out a prioritised list of immediate work and is working through the costs to complete the more essential items. They are also identifying work which will fall into the scope of other imminent projects such as lighting upgrades or corridor refurbishment work.
7. Some information is missing in the reports that will help finalise the range budget estimates. This information has been requested directly from the consultants. Any cost estimates will be checked with a Quantity Surveyor for accuracy.

## **Options**

8. The options appraisal should identify:
  - a. Actions that are covered by existing or upcoming projects for the essential improvements identified by the report.
  - b. Other less urgent items that can be aligned with the future works programme.
  - c. The cost of completing the recommendations in the report.



## Proposals

9. Consultation on the proposals will need to be undertaken with residents, and officers, and other key stakeholders to identify any additional needs or requirements. Some of the remedial work may impact accessibility whilst the work is being undertaken. This will need careful planning and communication. A communications strategy has not yet been finalised.

## Corporate & Strategic Implications

**Strategic implications** – Remedial work undertaken as part of the recommendations set out within the reports will ensure our estates are compliant, meet the expectations of the Equalities Act 2010 and other codes of practice that support accessibility.

**Financial implications** – Funding will be required to support the remedial work. No external funding has been identified yet.

**Resource implications** – None.

**Legal implications** – Legal action for non-compliance, lack of support or discrimination against protected characteristics.

**Risk implications** – As per legal implications above.

**Equalities implications** – Remedial work will support the protected characteristics outlined in the Equalities Act 2010.

**Climate implications** – None.

**Security implications** – None.

## Conclusion

10. The report provides progress update on work completed to date and what the next steps are to be undertaken essential work to estates to improve the facilities provided making them more accessible to those living, visiting and working on the estate.
11. Once the current review is complete, and costs estimated, a further report starting the project under the gateway process, can be undertaken. The gateway report is expected at the next Housing Management and Almshouses Sub-Committee meeting on 8 July 2024.

## Appendices

None

**Jason Hayes**  
Head of Major Works

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<b>Committee(s):</b> Housing Management and Almshouses Sub (Community and Children's Services) Committee	<b>Dated:</b> 17 April 2024
<b>Subject:</b> Housing Major Works Programme – Progress Report	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	1, 2, 12
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>N/A</b>
<b>What is the source of Funding?</b>	<b>N/A</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>N/A</b>
<b>Report of:</b> Director of Community and Children's Services	<b>For Information</b>
<b>Report author:</b> Jason Hayes Head of Major Works, DCCS Property Services	

## Summary

The purpose of this report is to update Members on the progress that has been made with the Housing Major Works Programme and to advise Members on issues affecting progress on individual schemes. From its original inception, this report has since been expanded to include information relating to Phase 2 of the Housing Major Works Programme (Future Programme).

## Recommendation(s)

Members are asked to note the report.

## Main Report

### Background

1. The purpose of this report is to present progress and highlight slippage within the portfolio of projects which make up the Housing Major Works Programme to Members of the Housing Management and Almshouses Sub Committee.
2. The City of London Corporation (City Corporation) is committed to investing around £110million on a Major Works Programme for the maintenance, refurbishment, and improvement of its social housing portfolio. The works, in the main comprise:

- Window replacements;
  - Re-roofing;
  - Decent Homes (new kitchens and bathrooms);
  - Electrical rewiring and upgrades;
  - Heating replacements;
  - Concrete repairs;
  - Fire safety improvement works.
3. The funding for these extensive works, which is intended to bring all the City Corporation's social housing stock up to, and beyond, the Decent Homes Standard, comes from the Housing Revenue Account (HRA), which is a ring-fenced account to be used solely for social housing. The HRA is made up of:
- Income from rents;
  - Income from service charges.
4. The Housing Major Works Programme was originally intended to be a 5-year programme however, the size and complexity of some of the projects included, along with initial staff resourcing issues, has meant that it is more likely to take 7 to 8 years to complete.
5. The Housing Major Works Programme is monitored and managed at several levels both corporately and within the department. This includes:
- Gateway Process;
  - Community & Children's Services Committee (C&CS);
  - Projects and Procurement Sub Committee;
  - Housing Management & Almshouses Sub Committee;
  - Housing Programme Board.
6. The Housing Programme Board (HPB) is a cross-departmental group which meets every two months to oversee the Major Works Programme. It is chaired by the Director of Community & Children's Services and comprising senior officers from:
- Housing Management;
  - Housing Property Services;
  - City Surveyors;
  - Planning;
  - Finance;
  - Town Clerks;
  - City Procurement.
7. Attached at Appendix 1 to this report, for Members' consideration, is the latest version of the progress report for the Housing Major Works Improvement Programme.

8. Following requests from Members, projects that have been added to the original five-year Housing Major Works Programme over the last few years have been highlighted in the progress report. This helps to demonstrate the extent as to which the scope of the five-year Housing Major Works Programme has increased since its inception. Members will note from the latest progress report that the value of these additional projects is approximately £23.4million (a 43% increase in the cost of the original programme).
9. Members have asked for and Officers have commissioned from Ark Consulting an Asset Management Plan which will take a strategic overview of the works needed going forward. This work is due to be completed by the end of June 2024.
10. In line with a request from Members and, as subsequently agreed by the C&CS Committee, attached to this report as Appendix 2 is Phase 2 of the Housing Major Works Programme (Future Programme). The format of Phase 2 has been designed to reflect the following:
  - a new, revised five-year programme with the dates reset to the start of the 2022/23 financial year.
  - the carryover and incorporation of projects from the original five-year Major Works Programme that will be incomplete by the beginning of the 2022/23 financial year.
  - the omission of all projects on the original five-year Major Works Programme that were substantially completed before the beginning of the 2022/23 financial year.
11. As members will see from the 'Future Programme' at Appendix 2, there are nearly £44 million of new projects that are currently '**unfunded**'. These projects comprise works identified in the Savills Stock Condition Survey (2018) and, projects that have been identified as a result of further surveys and testing works carried out as part of the current Major Works Programme.
12. Members will note that the Future Programme is substantively unchanged from that submitted to previous meetings of this Sub Committee. An uplift to costs reflecting the persistent cost inflation in the construction industry has been applied to bring the forecast costs up to 2024 price levels. The Future Programme will likely be further affected by current and future economic factors and, at some time in the future, a substantial review and redrafting will be required. Clearly, this can only be done once we have more clarity on the future funding capacity of the HRA. The report, as it stands, remains a useful reminder of the extent of work to be carried out (and forecast costs) to maintain the Corporation's Housing Estates to the required standard.
13. Although, the Future Programme does include some provision for 'Net Zero Pilots' across all our social housing estates, Members are reminded that no provision has been made for any future Net Zero Capital Projects. The reason for this, as Members will be aware, is that these projects are still largely unknown and, will only emerge over the next few years, as further research, surveys, and investigations are completed in line with the Housing Net Zero Action Plan. It is

likely that Housing Net Zero Capital Projects will be funded from a combination of external grant funding and the City Corporation's Climate Action Strategy Budget.

14. Members will note from the progress report at Appendix 1 that there have been several changes to the status of the various projects since the last meeting of this Sub-Committee. Members are asked to specifically note the following updates:

### **Progress of note on key projects**

#### *H39b – Window Replacements and External Redecorations (Holloway Estate)*

Practical completion of the works achieved on 24th January. Scaffolding removed from all elevations. A few minor snagging items remain to be resolved. Final accounts to be agreed.

#### *H39c – Window Replacements and External Redecorations (Southwark Estate - Pakeman, Stopher, Sumner)*

Redecoration is nearly complete at Pakeman House and Stopher House and continuing as planned at Sumner Buildings. The replacement windows for Pakeman House are being manufactured with the first installations expected early April. Final review and approval of the contractor's window drawings for Stopher House and Sumner Buildings is pending with the architect; installations are expected to begin end of May/early June. The estimated completion of all works included in this project remains the end of June 2024.

#### *H39d – Window Replacements and External Redecorations (Sydenham Hill)*

Practical completion of the works achieved on 14th March. Scaffolding removed from all elevations. A few minor snagging items remain to be resolved. Final accounts to be agreed.

#### *H39e – Window Replacements and External Redecorations (William Blake Estate)*

Statutory pre-tender section 20 leaseholder consultations for the services of a design team closed 11th March 2024. The design team brief is now being finalised and the project team will engage with the energy and procurement teams to ensure that the project aligns with City's climate action and responsible procurement strategies. Once appointed, the design team will be working alongside the project team undertaking pre-planning advice ahead of submitting a new planning application. While the planning applications are underway the design team will also be working alongside the project team drawing specifications to re-tender for the works, which will also be subject to the statutory pre and post tender section 20 consultations with leaseholders. Subject to further committee approvals, successful statutory consultations, tenders, and planning consents the works are expected to start early 2025.

#### *H39f – Window Replacements and External Redecorations (Windsor House)*

Snagging and final inspection of the redecoration work is expected shortly, and the replacement of the dormer windows is ongoing with final making good to the dormer surrounds to follow. Practical completion is expected 6<sup>th</sup> June 2024.

#### *H40a – Window Refurbishment, Roofing, Ventilation and Heating (Crescent House)*

Listed Building Consent and Planning application for the whole block has now been approved. The project requires the tender documents to be finalised and this has

slipped due to internal delays setting up the budgets. The tender will not be advertised until early May once the pricing document has been finalised and specific planning conditions discharged.

*H40b, c, d, e – Window Refurbishment, Roofing and Ventilation (Golden Lane Estate - Remaining Blocks)*

Much of the design work for Stanley Cohen and Cullum Welch is now complete but awaits some final pieces of work to be completed such as structural surveys and embodied carbon assessments. There has been a delay in setting up the budgets, so this work is on hold until the relevant consultants can be instructed to complete this piece of work.

*H46 - Middlesex Street Estate Communal Heating*

The works are ongoing around Petticoat Square. Residents of Petticoat Tower are experiencing noise issues within the internal ducts. Following extensive investigations, it has been determined that this is the result of the old, existing system. A drain down of the old system cannot be actioned until all properties in the Tower have their installations completed; four leasehold properties continue to refuse access to allow the works.

*H54 – Fire Door Replacement Programme (Multiple Estates)*

- Lot 2 (Avondale Square Estate)

Gerda will be mobilising into the Point Blocks over the coming weeks with a view to commencing works shortly. United Living will still have a presence on site so contractors will need to coordinate appropriately.

- Lot 3 (Sumner Buildings, William Blake, Dron House, Petticoat Tower communal doors)

Works at Sumner, Dron and William Blake are almost complete. Access issues persist at a small number of properties; we are working with Estate teams to resolve. Works to the communal doors in Petticoat Tower are on hold pending the completion of the sprinkler install.

- Lot 4 (Southwark Estate, Windsor House, Isleden House, Sydenham Hill, Spitalfields)

Reform Architects have been appointed to lead the design work for Lot 4. There will be an initial focus on Sydenham Hill due to the extra complications of the Listing and previous experience of lengthy timescales when dealing with Lewisham.

15. Members will appreciate that there will always be problems with contracts and projects such as those contained within the Housing Major Works Programme. The last few years have been particularly challenging. Indeed, the increasing cost of construction projects nationally remains a particular concern. The Corporation is not immune from these cost increases which, typically, are between 20 and 30%.

16. Members will also recognise that progress with any of the projects included in the Housing Major Works Programme can change at short notice. It is often the case that notable changes in projects will have occurred from the time that reports are written to the time that they are presented to this Sub-Committee. Where appropriate, Officers will provide further updates to Members when presenting this report.

**Appendices**

Appendix 1: Housing Major Works Programme Progress Report (April 2024)

Appendix 2: Housing Major Works Programme (Future Programme)

**Jason Hayes**

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**GOLDEN LANE ESTATE INVESTMENT PROGRAMME - DELIVERY FORECAST MARCH 2024**

REF	PROJECT	ESTIMATED COST	EXPENDITURE TO DATE	CURRENT STATUS	SLIPPAGE SINCE LAST REPORT	TIMELINE																	
						2023/24				2024/25				2025/26									
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4						
A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M
H40a	Window Refurbishment, Roofing, Ventilation & Heating (Crescent House)	£11,958,695	£734,530	planning approved, procurement		PILOT FLAT				WORKS													
H40b	Window Refurbishment, Roofing & Ventilation (Cullum Welch House)	£3,270,448	£53,000	design																			
H40c	Window Refurbishment, Roofing & Ventilation (Great Arthur House)	£1,281,482	£21,000	design																			
H40d	Window Refurbishment, Roofing & Ventilation (Stanley Cohen House)	£1,668,596	£27,000	design																			
H40e	Window Refurbishment, Roofing & Ventilation (Maisonette Blocks)	£11,653,474	£191,700	design																			
H41	Great Arthur House - Front Door Replacement/Compartmentation	£675,000	£60,536	design (with sprinklers)						PROGRAMME TBC													
H54	Fire Door Replacement Programme (Lot 5 - GLE)	£1,160,000	£4,800	Lot 5 of 5. Lots 1,2 & 3 in delivery.						PROGRAMME TBC													
H55c	Installation of Sprinklers (Great Arthur House)	TBC	£130,000	contract with UL withdrawn	TBC					PROGRAMME TBC													
H61	Golden Lane Area Lighting & Accessibility	£500,000	£450	project to restart with CAS funding	TBC					PROGRAMME TBC													
TOTAL		£32,167,695	£1,223,016																				

**MIDDLESEX STREET ESTATE INVESTMENT PROGRAMME - DELIVERY FORECAST MARCH 2024**

REF	PROJECT	ESTIMATED COST	EXPENDITURE TO DATE	CURRENT STATUS	SLIPPAGE SINCE LAST REPORT	TIMELINE																	
						2023/24				2024/25				2025/26									
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4						
A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M
H46	Communal Heating (inc Cold Water Distribution)	£4,349,389	£3,834,184	on site																			
H54	Fire Door Replacement Programme (Lot 3 - inc Petticoat Tower communal doors)	£180,000	£4,800	doors to follow sprinkler install		LOT 3 BLOCKS																	
H55b	Installation of Sprinklers (Petticoat Tower)	£1,324,554	£386,830	on site																			
TOTAL		£5,853,943	£4,225,814																				

**AVONDALE SQUARE ESTATE INVESTMENT PROGRAMME - DELIVERY FORECAST MARCH 2024**

REF	PROJECT	ESTIMATED COST	EXPENDITURE TO DATE	CURRENT STATUS	SLIPPAGE SINCE LAST REPORT	TIMELINE																	
						2023/24				2024/25				2025/26									
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4						
A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M
H54	Fire Door Replacement Programme (Lot 2 - Avondale Square Estate)	£2,790,000	£1,292,800	on site																			
H55a	Installation of Sprinklers (Point Blocks)	£3,548,027	£2,852,330	awaiting building control sign off																			
H59	George Elliston & Eric Wilkins Refurbishment	£3,700,000	£130	design	TBC																		
TOTAL		£10,038,027	£4,145,260																				

**SOUTHWARK/WILLIAM BLAKE ESTATES INVESTMENT PROGRAMME - DELIVERY FORECAST MARCH 2024**

REF	PROJECT	ESTIMATED COST	EXPENDITURE TO DATE	CURRENT STATUS	SLIPPAGE SINCE LAST REPORT	TIMELINE																	
						2023/24				2024/25				2025/26									
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4						
A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M
H39c	Window Replacements & External Redecorations (Pakeman, Stopher & Sumner)	£4,294,565	£3,142,888	on site																			
H39e	Window Replacements & External Redecorations (William Blake)	£3,035,720	£54,350	gateway 3/4 approved																			
H54	Fire Door Replacement Programme (Lot 3 - Sumner & W. Blake, Lot 4 - Southwark)	£1,454,000	£659,343	Lot 3 on site, Lot 4 design		LOT 3 (SUMNER, WB)				LOT 4													
H50	Southwark Estate Concrete Testing & Repair	£1,500,000	£70,332	on hold - Capital Programme Review																			
TOTAL		£10,284,285	£3,926,913																				

**HOLLOWAY ESTATE INVESTMENT PROGRAMME - DELIVERY FORECAST MARCH 2024**

REF	PROJECT	ESTIMATED COST	EXPENDITURE TO DATE	CURRENT STATUS	SLIPPAGE SINCE LAST REPORT	TIMELINE																													
						2023/24				2024/25				2025/26																					
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4																		
						A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S
H39b	Window Replacements & External Redecorations (Holloway)	£4,681,409	£4,491,934	complete																															
<b>TOTAL</b>		£4,681,409	£4,491,934																																

**YORK WAY ESTATE INVESTMENT PROGRAMME - DELIVERY FORECAST MARCH 2024**

REF	PROJECT	ESTIMATED COST	EXPENDITURE TO DATE	CURRENT STATUS	SLIPPAGE SINCE LAST REPORT	TIMELINE																													
						2023/24				2024/25				2025/26																					
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4																		
						A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S
<b>TOTAL</b>		£0	£0																																

**SYDENHAM HILL ESTATE INVESTMENT PROGRAMME - DELIVERY FORECAST MARCH 2024**

REF	PROJECT	ESTIMATED COST	EXPENDITURE TO DATE	CURRENT STATUS	SLIPPAGE SINCE LAST REPORT	TIMELINE																													
						2023/24				2024/25				2025/26																					
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4																		
						A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S
H39d	Window Replacements & External Redecoration (Sydenham Hill)	£1,664,370	£1,481,187	complete																															
H54	Fire Door Replacement Programme (Lot 4 - inc Sydenham)	£192,500	£4,800	design											LOT 4 (SYD)																				
<b>TOTAL</b>		£1,856,870	£1,485,987																																

**SMALL ESTATES (DRON, WINDSOR, ISLEDEN, COLA, GRESHAM) INVESTMENT PROGRAMME - DELIVERY FORECAST MARCH 2024**

REF	PROJECT	ESTIMATED COST	EXPENDITURE TO DATE	CURRENT STATUS	SLIPPAGE SINCE LAST REPORT	TIMELINE																													
						2023/24				2024/25				2025/26																					
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4																		
						A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S
H39f	Window Replacements & External Redecoration (Windsor)	£2,260,939	£2,042,315	on site																															
H54	Fire Door Replacement Programme (Lot 3 - inc Dron, Lot 4 - inc Windsor, Isleden)	£890,000	£621,000	on site				LOT 3 (DRON)							LOT 4 (WIN, ISL)																				
<b>TOTAL</b>		£3,150,939	£2,663,315																																

**TOTAL PLANNED EXPENDITURE (ALL ESTATES) ACTIVE PROJECTS**

	TOTAL PLANNED	SPENT TO DATE
Golden Lane Estate	£32,167,695	£1,223,016
Middlesex Street Estate	£5,853,943	£4,225,814
Avondale Square Estate	£10,038,027	£4,145,260
Southwark/William Blake Estates	£10,284,285	£3,926,913
Holloway Estate	£4,681,409	£4,491,934
York Way Estate	£0	£0
Sydenham Hill Estate	£1,856,870	£1,485,987
Small Estates	£3,150,939	£2,663,315
<b>TOTAL</b>	<b>£68,033,168</b>	<b>£22,162,239</b>









COLAT INVESTMENT PROGRAMME - MAJOR WORKS DELIVERY FORECAST (FUTURE PROGRAMME)

WORKS TYPE	REF	PROJECT	SCOPE	ESTIMATED COST	ESTIMATED COST INFLATION UPDATE Q4 24	TIMELINE																			
						YEAR 1 (2023/24)				YEAR 2 (2024/25)				YEAR 3 (2025/26)				YEAR 4 (2026/27)				YEAR 5 (2027/28)			
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
INVESTMENT PROGRAMME		Net Zero Retrofit Pilots		£50,000	£66,750																				
		Boiler Replacement Programme (Multiple Estate Programme)	18 in 2022, 27 in 2023, 1 in 2024 (subject to Net Zero strategy)	£138,000	£184,230																				
		CCTV Programme (Multiple Estate Programme)		£20,000	£26,700																				
		Tenants Electrical Testing		£42,400	£56,604																				
		<b>COLAT Total</b>		<b>£250,400</b>	<b>£334,284</b>																				

- works programmed (current forecast)
- testing/pre contract surveys etc
- project carried over from previous programme

COMBINED INVESTMENT PROGRAMME	ESTIMATED COST	UPLIFTED COST	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
<b>5 Year Programme Estimated total</b>	<b>£99,576,520</b>	<b>£109,403,628</b>	<b>£24,585,000</b>	<b>£33,509,800</b>	<b>£26,167,425</b>	<b>£20,631,663</b>	<b>£6,883,915</b>
Potential cost variance +25%	£124,470,650	£136,754,535	£30,731,250	£41,887,250	£32,709,281	£25,789,579	£8,604,894
Potential cost variance -25%	£74,682,390	£82,052,721	£18,438,750	£25,132,350	£19,625,569	£15,473,747	£5,162,936

EXCLUDING TBC SUMS	
Projects carried over from previous programme	£65,541,720
New project value (unfunded)	£43,861,908
Potential cost variance to new projects +25%	£54,827,385
Potential cost variance to new projects -25%	£32,896,431

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<b>Committees:</b> Community and Children’s Services – For Information	<b>Dated:</b> 11/03/2024
Housing Management and Almshouses Sub-Committee – For Information	17/04/2024
<b>Subject:</b> Financial Support with Major Works (Long Leaseholders)	<b>Public</b>
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>	4, 12
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>N/A</b>
<b>What is the source of Funding?</b>	<b>N/A</b>
<b>Has this Funding Source been agreed with the Chamberlain’s Department?</b>	<b>N/A</b>
<b>Report of:</b> Judith Finlay, Executive Director of Community and Children’s Services	<b>For Information</b>
<b>Report author:</b> Liam Gillespie, Head of Housing Management, DCCS – Housing Division	

## Summary

The purpose of this paper is to: set out the current range of options for financial support for leaseholders in relation to major works costs; provide Members with information on options offered by other landlords; and inform discussion on possible variations or alternative offers.

The Housing Division’s major works programme, amounting to approximately £110 million, is delivering multiple projects designed to improve the standard of the homes managed by the City Corporation across its social housing estates.

The cost of these projects is borne by the Housing Revenue Account (HRA), with an element charged back to long leaseholders through their service charges, in accordance with lease provisions. The scale and complexity of some of the projects means that the cost to individual leaseholders can be significant and may, in some cases, result in financial hardship. In recognition of this, several options are available to leaseholders to help them spread the cost of paying for major works, including a discretionary loan scheme first approved by Members in 2010.

The discretionary scheme was last considered by Members in 2017 in the context of the Great Arthur House curtain wall project, when the maximum loan and interest-free period was increased. Several projects of a similar scale are proposed or underway, including the Crescent House window replacement and repair scheme, and officers have been asked to consider the current arrangements for leaseholder support in response to those projects. However, the cost of these planned works for individual leaseholders is not yet finalised, so it is not yet possible to assess with real accuracy the implications for the current loans scheme, or the potential impact on the HRA of increasing current support.

## Recommendations

Members are asked to:

- Note the report
- Inform officers of any potential alternative options they would like to explore further.

## Main Report

### Background

1. Our current major works programme, forecast to cost approximately £110 million, has already delivered many improvement projects to housing stock managed by the City Corporation, and multiple projects are currently underway or planned to bring buildings up to modern standards.
2. This work is funded through the HRA, which is financed by income from rent receipts and service charge contributions.
3. Tenants who exercise the Right to Buy their home will enter into a lease agreement with the City Corporation, which sets out rights and obligations in respect of their ownership of the long leasehold interest in the property. The terms of the lease describe the arrangements for the charging and payment of service charges, including those for repairs and major works to the residential block or estate in question.
4. The service charge contributions of individual long leaseholders, in respect of major works to their block or estate, can be significant and it is acknowledged that large bills for major works can cause financial hardship for some homeowners. Arrangements are in place to assist homeowners to spread the cost of these charges, or access loans through various means (as described below).
5. The loan arrangements for leaseholders were last considered by the Community and Children's Services Committee in September 2017, in the context of the Great Arthur House curtain wall replacement project. At that time, the maximum discretionary loan amount was increased to £72,500 and Members approved the setting of the interest-free period at a maximum of three years, depending on the amount borrowed.
6. Members are aware that other large-scale major works projects are planned, notably window replacement works at Golden Lane, which have the potential to result in significant charges for leaseholders. The precise costs have yet to be determined and officers are therefore not able to advise Members on the precise implications for the operation of the current discretionary loan arrangements.
7. Any change to the current arrangements would require clarity on the cost of current planned projects, as well as the implications for the HRA of extending the support currently in place.

8. This paper is intended to assist Members by describing the current arrangements and how they fit in with our wider duties in respect of the proper management of the HRA. The paper also includes information about practice elsewhere.

#### The Housing Revenue Account (HRA)

9. Section 74 of the Local Government and Housing Act 1989 (“the 1989 Act”) imposes a duty on local authority landlords with 200 or more homes to keep an HRA, through which sums are debited and credited in respect of core landlord services and the provision of housing (as defined in the Housing Act 1985, Part II).
10. The 1989 Act includes an obligation to ensure that the account for each year does not show a debit balance (s.76).
11. The City Corporation has legal and fiduciary duties to recover the cost of major works projects from long leaseholders as part of its duty to manage the HRA effectively. Failure to collect service charges due from leaseholders could compromise the HRA and mean that tenants were, in effect, subsidising private homeowners.
12. Failure to properly collect service charge contributions would also compromise our ability to deliver the current major works programme. However, we must also have due regard to the hardship faced by some long leaseholders when faced with substantial service charge demands for major works.
13. To balance the need to effectively administer the HRA, with consideration for the impact of major works on long leaseholders, a range of options are available to assist lessees in paying for major works items. These measures are intended to ensure that major works costs are recouped by the HRA in a way that reduces the potential for individual financial hardship as far as can reasonably be achieved while keeping firmly in mind our duty to properly manage the HRA.
14. Members will be aware that the HRA is subject to serious pressure due to the major works programme and the development of new homes in several locations. Currently, in addition to the £110 million for planned projects, there is an estimated £30 million worth of projects that are currently without allocated funding, arising out of the 2018 stock condition survey and further tests and surveys conducted as part of ongoing major works projects.
15. Members will also be conscious of the legal proceedings in respect of Great Arthur House, which resulted in the City Corporation being unable to recoup the majority of costs originally billed to leaseholders in that building, resulting in additional costs being borne by the HRA.
16. Further demands are being placed on the HRA which are non-negotiable, for instance, the cost of meeting new legal responsibilities on building safety compliance

## Current Position

17. Appendix 3 includes a Major Works payment guide for leaseholders. The current support available to leaseholders is set out in the table in **Appendix 1** and is made up of :
- A mandatory loan scheme under the Housing (Service Charge Loans) Regulations 1992
  - A contractual loan scheme set out in the lease terms
  - A discretionary loan scheme originally approved in 2010 and revised in 2017.
18. Further to the options above, other measures are available through legislative provisions, or previous Committee approval, namely:
- purchase by the City Corporation of an equitable interest in a property under the Housing (Purchase of Equitable Interests) (England) Regulations 2009, essentially a form of shared ownership which reduces the leaseholder's service charge liability to the percentage they retain
  - a buy-back scheme, approved by Committee in 2010, in which the City Corporation purchases the property and the former leaseholder remains as a tenant (only available to the original Right to Buy purchaser and subject to funds being available for this purpose)
  - an equity loans scheme, subject to a means-testing process and available only to resident leaseholders.
19. The latter two options are available only in cases of extreme hardship, as a last resort measure, where it is demonstrated that the leaseholder does not have the means to pay for major works and is at risk of homelessness without support. Agreement is subject to a detailed assessment.
20. The discretionary loan scheme was last considered in detail by this Committee in 2017, when the current interest-free periods and loan parameters were agreed. In June 2018, Members made a further decision *not* to restrict the discretionary loan arrangements to leaseholders on lower incomes, but to allow any current owner-occupier to apply for the scheme.
21. Uptake of discretionary loans has been relatively low, with only eight outstanding at the time of writing, five of which relate to Great Arthur House. However, it should be noted that the Great Arthur House project was completed at a time when the economic picture was very different and loans through regulated lenders had more competitive rates. Uptake may be higher if a similar project were undertaken during the current economic conditions, as the interest-free period and competitive interest rate make the discretionary loan scheme a potentially more attractive option than a bank loan.

## **Barbican Estate**

22. The Barbican Estate operates broadly similar arrangements to the HRA, however, it can be noted that the discretionary loan scheme differs in a number of ways:

- The statutory (mandatory) loan arrangement under the 1992 Regulations applies, however, very few leaseholders are eligible due to the restrictive criteria in the scheme.
- A lease-based arrangement in which payments can be paid over a maximum of 10 years, with interest, secured as a charge on the property; major works are classed as those costing more than 2.5% of the value of the property. This scheme is the same as that contained in HRA leases.
- A discretionary loan scheme in which the terms of the statutory loan (under the 1992 Regulations) are extended to those who did not purchase their home through Right to Buy (i.e. those who purchased through open market sales). The statutory maximum (£41,740) applies and there is no interest-free period as in the HRA scheme.

23. Therefore, the main difference between the HRA and Barbican offer is the extent of the discretionary loan schemes operated.

## **Other Local Authorities**

24. Most local authorities will offer options to spread the cost of major works through instalment plans, lease provisions and discretionary loan schemes. In addition, some landlords offer voluntary charge arrangements, which are sometimes restricted to those in extreme hardship.

25. The arrangements of a sample of local authorities in London were researched and the details are shown in **Appendix 2**.

### *Instalment Plans*

26. It is common for local authority landlords to offer instalment plans, often with partial or full interest-free periods depending on the duration of the plan, which allow leaseholders to spread repayments over several years. These are not loans and are not secured on the property.

27. The City Corporation does not currently offer this option to leaseholders. Our standard lease does allow leaseholders to spread costs across a maximum of 10 years, however, this takes effect as a secured loan and attracts interest, and so differs from the kind of instalment plans offered by some other local authorities.

### *Discretionary Loans*

28. Many landlords offer a discretionary loan scheme, which is usually restricted to assist owner-occupiers. Appendix 2 shows a sample of arrangements operated by other local authority landlords in London. From the information publicly available, some of the landlords included in Appendix 2 appear not to offer a discretionary loan scheme.

29. Of those that offer discretionary loans, 10-year terms are most common, though some landlords do offer longer loan terms, bearing interest.

### **Review of Current Arrangements**

30. Based on the landlords shown in Appendix 2, the City Corporation's current offer for leaseholders appears to be broadly similar, in that:

- a discretionary loan scheme is offered to owner-occupiers
- an interest-free period is available (again restricted to owner-occupiers)
- a maximum loan period is specified.

31. There are some ways in which the City Corporation's arrangements differ from those landlords researched:

- Unsecured interest-free instalment plans are not currently provided.
- A maximum loan amount is specified in the discretionary loan (however, it should be noted that there is no maximum stated in the lease arrangements).

32. Officers are of the view that the current arrangements are generally suitable, however, Members may wish to indicate whether they would like officers to consider any amendments to current options, or any new initiatives, in more detail.

33. Given the duties held in respect of the HRA, and the scale of demand currently placed on it (or expected to be), any measures which had the potential to reduce cashflow to the HRA, or increase its debt burden, would need very cautious consideration.

34. It should be noted that the HRA Five-Year Financial Plan presented to this Committee in January 2024 did not include any additional costs related to any changes in leaseholder loan arrangements.

### **Corporate & Strategic Implications**

35. There are no strategic implications directly related to this report.

- Financial implications – N/A
- Resource implications – N/A
- Legal implications – N/A
- Risk implications – N/A
- Equalities implications – N/A
- Climate implications – N/A
- Security implications – N/A

### **Conclusion**

36. We currently have a range of measures to assist leaseholders of City Corporation social housing estates to pay for major works costs, including a scheme contained

in the lease and a discretionary loan scheme which is partially interest-free and limited to resident leaseholders.

37. Comparison with other local authority landlords in London shows that the City Corporation's offer is broadly in keeping with options elsewhere. However, unsecured instalment plans, which are quite common from the research conducted, are not currently offered.
38. Uptake of the loan arrangements offered has been low, even in those blocks which have been subject to the most substantial major works projects.
39. Officers advise that the current arrangements are suitable and balance the need to recover major works costs with easing pressure on private homeowners who are obliged to contribute towards projects.
40. Officers will consider any changes to the current arrangements suggested by Members in more detail, including any potential impact on the HRA and its ability to support the current major works programme and other important commitments.

## **Appendices**

- Appendix 1 – Summary of Current Financial Support Options for Long Leaseholders
- Appendix 2 – Instalment Options and Discretionary Loan Arrangements: other Local Authorities
- Appendix 3 – Major Works payment guide for leaseholders

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**Appendix One**

**Summary of Current Financial Support Options for Long Leaseholders**

*Table 1: Summary of current loan schemes*

<b>Scheme Type</b>	<b>Basis</b>	<b>Eligibility</b>	<b>Summary</b>
Mandatory Scheme	Housing (Service Charge Loans) Regulations, 1992	Leaseholders (and successors in title) of properties purchased under Right to Buy in the last 10 years	<ul style="list-style-type: none"> <li>• Loan amount between £1,044 to £41,740</li> <li>• Loan period up to 10 years</li> <li>• Must apply within six weeks of service charge demand and accept any offer within four weeks</li> <li>• Interest is payable at standard national variable rate (currently 3.13%)</li> <li>• Loan is secured by way of a mortgage on the property</li> <li>• Administrative charge of £100.00 (set by the Regulations) is chargeable, plus legal costs</li> </ul>
Contractual	Lease provisions	All leaseholders	<ul style="list-style-type: none"> <li>• Allows lessee to spread cost of major items over 10 years</li> <li>• Major items defined in lease as works costing 2.5%+ of the value of the property at the time of purchase (e.g., for a property worth £500,000, the invoice would need to be at least £12,500 to qualify)</li> <li>• Interest payable at standard national variable rate (currently 3.13%)</li> <li>• Charge placed on property (fee applies)</li> </ul>
Discretionary	Decisions of Community & Children's Services Committee (2010, 2017 and 2018)	Leaseholders occupying property as main home	<ul style="list-style-type: none"> <li>• For major works costing over £5,000, maximum loan £72,500</li> <li>• 10 year maximum loan duration</li> <li>• Leaseholder covers first £5,000 – remainder eligible for a loan</li> </ul>

Community and Children's Services Committee 11/03/2023  
Financial Support with Major Works (Long Leaseholders)

			<ul style="list-style-type: none"><li>• No means testing</li><li>• Interest free period from 1-3 years</li><li>• Must not be in service charge arrears or in breach of lease</li><li>• Charge secured on the property to guarantee loan</li><li>• Legal fees capped at £500</li></ul>
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**Appendix Two: Instalment Options and Discretionary Loan Arrangements**

**Comparison with other Local Authorities**

Authority	Instalment Plans and Discretionary Loan Arrangements	Maximum discretionary loan period	Minimum Loan Amount	Maximum loan amount	Maximum interest-free period	Other options provided
Brent	<p><b><u>Instalment plans</u></b></p> <ul style="list-style-type: none"> <li>• Interest-free payments for 12 months for sums under £1,000</li> <li>• Interest free for 24 months for sums over £1,000</li> </ul> <p><b><u>Discretionary Loan</u></b></p> <ul style="list-style-type: none"> <li>• Loan for 3-10 years, interest payable</li> </ul>	10 years	None	None specified	3 years	
Camden	<p>(All options below are open solely to resident leaseholders)</p> <p><b><u>Instalment Plans</u></b></p> <ul style="list-style-type: none"> <li>• Interest free period of up to 12 months on major works bills under £5000</li> <li>• Interest free periods of up to 24 months on</li> </ul>	25 years	None	None specified	5 years	

Community and Children's Services Committee 11.3.2024  
 Financial Support with Major Works (Long Leaseholders)

	<p>major works bills over £5000</p> <ul style="list-style-type: none"> <li>• Interest free periods of up to 36 months on major works bills over £10,000</li> <li>• Interest free periods of up to 48 months on major works bills over £15,000</li> <li>• Interest free periods of up to 60 months on major works bills over £20,000</li> </ul> <p><b><u>Discretionary Loan</u></b></p> <ul style="list-style-type: none"> <li>• Up to 25-year loan, interest payable, charge placed on property</li> </ul>					
City of London Corporation (Barbican Estate)	<p><b><u>Contractual Loan</u></b></p> <ul style="list-style-type: none"> <li>• Contractual under lease terms: up to 10 years, interest payable</li> <li>• Monthly repayments</li> <li>• Available to all leaseholders provided they are not in breach of lease</li> <li>• Charge placed on property</li> </ul>	10 years	£1,044	£41,740	None	Discretionary loan mirrors the terms offered for the mandatory loan under the 1992 Regulations; it is simply extended to those who would not otherwise be eligible

	<p><b><u>Discretionary Loan</u></b></p> <ul style="list-style-type: none"> <li>• Same terms as loans offered under 1992 Regulations</li> </ul>					
City of London Corporation (HRA)	<p>See Appendix One for full details</p> <p><b><u>Contractual Loan</u></b></p> <ul style="list-style-type: none"> <li>• Contractual under lease terms: up to 10 years, interest payable</li> <li>• Monthly repayments</li> <li>• Available to all leaseholders provided they are not in breach of lease</li> <li>• Charge placed on property</li> <li>• No maximum specified</li> </ul> <p><b><u>Discretionary Loan</u></b></p> <ul style="list-style-type: none"> <li>• £5,000-£72,500, amounts between £5,000 and £72,500 interest-free from 1-3 years</li> <li>• Resident leaseholders only</li> <li>• Secured on property (fees apply)</li> </ul>	10 years	£5,000 (discretionary loan)	£72,500 (discretionary loan)	3 years	

Ealing	<p><b><u>Instalment Plans</u></b></p> <ul style="list-style-type: none"> <li>• 12 months interest-free, available to all leaseholders</li> <li>• 18 months interest-free – residents only, £4,201 minimum</li> <li>• 24 months interest-free – residents only, £6,301 minimum</li> <li>• 30 months interest-free, residents only, £8,401 minimum</li> <li>• 36 months interest-free, residents only, £10,501 minimum</li> <li>• 5-year repayment plan, 3 years of which is interest-free, minimum £12,601, residents only</li> </ul> <p><b><u>Discretionary Loan</u></b></p> <ul style="list-style-type: none"> <li>• Residents only, who cannot access statutory loan scheme or other repayment methods</li> <li>• Interest chargeable</li> </ul>	10 years	Statutory minimum	None specified	3 years	<p><b><u>Voluntary charge</u></b>                  For cases of extreme hardship, residents only, must be unable to access payment by instalments, equity required, interest payable upon sale</p> <p><b><u>Purchase of equity share</u></b>                  Residents only, minimum bill £10,000, cases of extreme hardship only after other options exhausted</p>
Harrow	<p><b><u>Instalment Plan</u></b></p>	5 years	None	None specified	4 years	<p><b><u>Voluntary Charge</u></b>                  Interest payable</p>

Community and Children's Services Committee 11.3.2024  
 Financial Support with Major Works (Long Leaseholders)

	<ul style="list-style-type: none"> <li>• 12 months interest-free for amounts up to £3k</li> </ul> <p><b><u>Discretionary Loan</u></b></p> <ul style="list-style-type: none"> <li>• Under £3,001: 12 months interest free</li> <li>• £3,001 to £6,000: 24 months interest free</li> <li>• £6,001 to £9,000: 36 months interest free</li> <li>• £9,001 to £12,000: 48 months interest free</li> <li>• Over £12,000: 48 months interest free and 12 months interest payable</li> </ul>					
Islington	<p><b><u>Instalment Plans</u></b></p> <ul style="list-style-type: none"> <li>• 2-year monthly instalments, interest-free, for resident and non-resident leaseholders</li> <li>• 3-year monthly instalments, interest-free, for resident leaseholders</li> <li>• 5-year monthly instalments, interest-free, for amounts over £10,000. Must be resident in the</li> </ul>	10 years	None	None specified	5 years	

Community and Children's Services Committee 11.3.2024  
 Financial Support with Major Works (Long Leaseholders)

	<p>property. Charge placed on property, fees apply.</p> <ul style="list-style-type: none"> <li>• 5-year monthly instalments, interest free for 3 years, for resident leaseholders. Charge placed on property, fees apply. This is maximum payment period for loans below £10k (unless it relates to heating system works).</li> <li>• 10-year monthly instalments, five years interest-free, for residents only. Charge placed on property. Amount must be £10k plus or relate to heating system works.</li> </ul>					
Lewisham	<p><b><u>Instalment Plans</u></b></p> <ul style="list-style-type: none"> <li>• 2-year monthly instalments if bill below £3,000</li> <li>• 3-year monthly instalments if more than £3,000</li> </ul>	Not offered	None	None specified	5 years	



Community and Children's Services Committee 11.3.2024  
 Financial Support with Major Works (Long Leaseholders)

	<ul style="list-style-type: none"> <li>5-year monthly instalments if more than £10,000</li> </ul>					
Southwark	<ul style="list-style-type: none"> <li>12-month interest-free plan for resident and non-resident leaseholders</li> <li>36-month interest free payment plan for resident leaseholders, dependent on amount</li> <li>48-month interest-free monthly payments for resident leaseholders when amount exceeds £7,200</li> </ul> <p><b><u>Discretionary Loan</u></b></p> <ul style="list-style-type: none"> <li>Up to 25-year loan, with interest, secured as a mortgage on the property. Arrangement, valuation and administrative fees payable</li> </ul>	25 years	None specified	None specified	4 years	
<a href="#">Tower Hamlets</a>	<p><b><u>Instalment Plans</u></b></p> <ul style="list-style-type: none"> <li>2-year monthly payment plan, interest free, for amounts over £1,000. Resident and non-resident leaseholders eligible.</li> </ul>	Not offered	£1,000 (instalment plan)	None specified	2 years	<b><u>Voluntary charge</u></b> For those 60 plus or on full benefits, interest payable, fee applies

Community and Children's Services Committee 11.3.2024  
Financial Support with Major Works (Long Leaseholders)

	<ul style="list-style-type: none"><li>• 5-year monthly payment plan, interest-free for first two years, for amounts £2,000 plus. Resident leaseholders only.</li><li>• 10-year monthly payment plan, interest free for first two years, for amounts over £10k. Resident leaseholders only.</li></ul>					
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# Paying for major repairs to your property – a brief guide for leaseholders

City of London Housing Services



The City of London recognises that it can be difficult for some leaseholders to pay for the cost of major works to their property in one go. We therefore have a number of ways to support you with this.

### **Spreading the cost**

The terms of your lease allow you to spread the cost of “major items” over a ten year period paying interest over the payment period at the standard national variable rate (currently 3.13%). A major item is any repair work carried out within the same financial year and which costs at least 2.5% of the market value of your home.

This option is available to any leaseholder, regardless of whether they live at the property or not, but you must not be in arrears with your service charges or be in breach of your lease in any other way.

### **Mandatory Service Charge Loan Scheme**

Leaseholders who have bought their home under Right to Buy legislation in the last ten years, and their successors, are statutorily entitled to a loan of between £2,863.00\* and £38,171.00\* for major works or repairs where the service charge exceeds £954.00. The loan is for up to ten years.

The total service charge repairs cost to the leaseholder for the relevant year (including any estimated costs) must be more than £954.00 and you must apply for the loan within six weeks of the date of the service charge demand. Any loan offer made must be accepted within four weeks. Interest is payable at the standard national variable rate (currently 3.13%).

The loan can be for any amount exceeding the first £954.00 of the service charge demand, which must be met by you.

The thresholds in the regulations are adjusted by increases in the Retail Price Index for the preceding year. Revised limits are published in April each year.

You must provide us with details of any existing mortgage or charge on your property. The loan is secured by way of a mortgage on your home. A statutory administrative fee of £100.00 is charged and may be added to the loan if you wish.

### **Interest-free periods for owner-occupiers**

If you are an owner-occupier, and the property is your main home, the City can offer you an interest-free period on major works costs over £5,000. The interest-free periods are as follows:

<b>mount of loan</b>	<b>Interest-free period</b>
Up to £4,999.99	1 year
£5,000- 9,999.99	2 years
£10,000-£72,500	3 years

Any amount over £72,500 will be subject to interest. At the end of the interest-free period, interest will be payable at the standard national variable rate (currently 3.13%).

To qualify, you must be resident, must not have arrears, or be in breach of your lease. You must have a good credit history. The loan will be secured by a legal charge on your home, similar to a mortgage.

A loan can only be made for the major works charges billed in one financial year, but you can take out a further loan in subsequent years. Interest will only be payable on the first £5000 of the initial loan. Anything you add

subsequently will be interest-free for 1-3 years, up to an overall total of £72,500.

There is a charge for administration and legal fees for each loan. This will be a total maximum of £500 and can be added to your loan.

### **Severe Hardship**

If you are an owner-occupier in severe hardship, cannot repay a loan and are not able to extend your existing mortgage or get equity release on your property, then we may be able to offer further support. Please contact us on the number below.

### **Further information and guidance**

This leaflet is simply outlining the options available, and you will need more details to help you decide what to do next. If you are interested in applying for a loan, the next step is for you to talk to a member of our Home Ownership Team. They will tell you exactly what is available to you, explain all the terms and conditions and guide you through the next steps.

**You can do this by phone or in person. Please contact the team on 020 7332 3013 to talk to someone or make an appointment to see us.**

### **Important information**

A service charge loan from the City may not always be the best option for you, as you may be able to get a lower rate of interest elsewhere.

You should always look at the secured loan rates offered by banks or building societies before choosing to take a loan with us. You may also seek independent financial and/or legal advice before taking out a loan.

# Agenda Item 8

<b>Committee:</b> Housing Management and Almshouses Sub-Committee	<b>Dated:</b> 17/04/2024
<b>Subject:</b> Tenant Satisfaction Measures – Survey Results	<b>Public</b>
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>	1, 4 & 12
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>£</b>
<b>What is the source of Funding?</b>	
<b>Has this Funding Source been agreed with the Chamberlain’s Department?</b>	<b>N/A</b>
<b>Report of:</b> Judith Finlay, Executive Director – Community and Children’s Services	<b>For Information</b>
<b>Report author:</b> Liam Gillespie, Head of Housing Management, Department of Community and Children’s Services	

## Summary

At the January meeting of the Housing Management and Almshouses Sub-Committee, Members received a report summarising the results of the Tenant Satisfaction Survey for 2023/24, which will form the basis of our first compulsory return to the Regulator for Social Housing.

This report provides further detail about the results, providing a breakdown of the responses to each question by level of satisfaction. Further information is also provided on the additional questions asked as part of the survey, including those relating to the cost of living.

The results of the survey are being used to inform decisions on service improvements, and many themes are reflected in the new Housing Strategy which is currently in development, and will be monitored in supporting action plans.

## Recommendation

Members are asked to:

- Note the report.

## Main Report

## Background

1. With effect from April 2023, the Regulator for Social Housing has required social landlords to conduct tenant perception surveys and report the results annually. There are twelve tenant perception measures covering a range of landlord services. Further information on ten separate measures will also be submitted using data held by landlords. The deadline for the first submission is the end of June 2024.
2. The City Corporation's Tenant Satisfaction Survey was concluded in late 2023 and Members received a report in January 2024 with the headline results for each of the tenant perception measures.
3. The purpose of this report is to provide more detail about the breakdown of each result, as requested at Sub-Committee. Officers have now reviewed the results and the comments made by respondents to the survey (18% of current tenants). Some themes arising from the survey are included in this report.
4. The appendices to this report contain further information about each Tenant Perception Measure, as well as data relating to additional questions included in the survey.

### Current Position

5. Performance for each Tenant Perception Measure is shown in **Appendix One**. Additional questions are also included in that Appendix, including questions on the ease of dealing with the City Corporation (69% satisfaction) and the service provided by the estate office (69% satisfaction).
6. The highest performing measures, with 70% or more satisfaction, are:

Identifier	Measure	Overall Satisfaction	Very Satisfied
TP05	Satisfaction that the home is safe	72%	40%
TP07	Satisfaction that the landlord keeps tenants informed about things that matter to them	74%	37%
TP08	Agreement that the landlord treats tenants fairly and with respect	71%	28%
TP10	Satisfaction that the landlord keeps communal areas clean and well maintained	74%	40%
TP11	Satisfaction that the landlord makes a positive contribution to neighbourhoods	70%	34%

7. Members will also note that 40% of respondents are 'very satisfied' with the time taken to complete their most recent repair (TP03), with a total overall satisfaction figure of 66%. Dissatisfaction for this measure stands at 25%.
8. The lowest performing measures were:

Identifier	Measure	Overall Satisfaction	Very Dissatisfied
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TP06	Satisfaction that the landlord listens to tenants' views and acts upon them	53%	21%
TP09	Satisfaction with the landlord's approach to handling complaints	38%	32%

9. Complaints handling was the area in which most respondents were 'very dissatisfied', at 32%. This question is asked of respondents who have made a complaint within the previous twelve months, though 'complaint' is not restricted to formal complaints and will include informal matters raised with staff which are not investigated at Stage One of our procedure. It can therefore be interpreted as a wider 'customer service' question as well as one relating to the making of formal complaints.
10. One interesting result is TP08 (treating tenants with respect), where overall dissatisfaction stands at 12%, the lowest proportion of dissatisfaction for any of the twelve measures.
11. Other areas with relatively low overall dissatisfaction include TP07 (keeping tenants informed – 15%), TP10 (cleanliness of communal areas, 16%) and TP11 (positive contribution to neighbourhoods, 14%).
12. For some measures, a notable proportion of respondents answered that they were 'neither satisfied nor dissatisfied':

Identifier	Measure	Overall Satisfaction	'Neither'
TP08	Satisfaction that the landlord treats tenants fairly and with respect	71%	17%
TP11	Satisfaction with the landlord makes a positive contribution to neighbourhoods	70%	16%

13. There are multiple potential reasons for people being neutral about a survey response. It could be because of the way in which the survey was conducted, or perhaps being unclear on what the question meant. For instance, in TP11, respondents may not have been certain about what was meant by 'positive contribution to neighbourhoods'. This question is designed to measure things which landlords are directly responsible for. Tenants living on smaller estates may have found this more difficult to answer than those living on larger estate with a range of amenities such as shops, play areas and community centres, who might more easily be able to see a positive contribution from us as their landlord.
14. If residents are unaware of what we are responsible for in their neighbourhood, they may find it difficult to say how satisfied they are with our contribution to the area. This could be addressed by improving communications to residents on certain subjects, making them more aware of our responsibilities and what we do, or might do, to contribute to their local community.

## Additional Information

15. The 'cost of living' questions are shown in **Appendix One**. As previously highlighted, 70% of respondents stated that they did not currently struggle to pay rent or service charges, however 21% were either struggling or were worried about their future ability to pay.
16. A higher proportion of respondents were either struggling, or were worried about being able to pay, household bills (other than fuel), at 38%, and utilities bills (44%).
17. We provide free, independent help and advice on money matters through the City Advice service, which is available to residents living on all our estates. This is publicised through our newsletters and during contact with individual tenants, however a targeted campaign or mailshot may be a useful way of bringing available help to the attention of a greater number of tenants.
18. Another way of assisting tenants is to publicise schemes offered by utility providers, for instance the 'WaterHelp' initiative available from Thames Water, and making people aware of how to check and change tariffs for gas and electricity. Officers will incorporate these subjects into the communications being planned for the coming year.
19. Income Recovery Officers also signpost tenants for help and advice on debt and money advice issues, when discussing rent arrears. The availability of the City Advice service is also included in letters to tenants when addressing arrears, and promoted during face to face meetings.

## Using the Results

20. The results of the survey are being used to identify areas in which service improvements can be made. Identified actions will be tracked in the Housing Service Plan, the latest version of which is currently being finalised. This will sit beneath the Housing Strategy, which is due to be presented to Community and Children's Services Committee in May 2024.
21. The results in some areas show a relationship with issues already observed by officers and Members, and actions are already being taken, or are planned, to address required service improvements:

TP02, TP03, TP04	Satisfaction with repairs, repairs timescales and maintenance of the home	Members are aware that a new responsive repairs contract is due to be procured and residents will be involved in this exercise. The new contract is intended to enable better performance and provide a more consistent service in line with tenant expectations.  As we make progress on our current Major Works programme, satisfaction
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		<p>with the maintenance of estate should increase.</p> <p>An improvement plan is in place for the current contract and is being monitored by senior officers, with regular contract meetings with the supplier.</p> <p>The post of Head of Repairs &amp; Maintenance for the HRA is currently being advertised and a permanent post-holder should be in place by July/August, depending on the candidate response.</p> <p>Further recruitment is taking place to bring the Repairs team back up to full strength.</p> <p>Repairs will be a prime focus of resident engagement, with the help of our new strategy, to amplify the tenant voice in decision-making and scrutiny (please see TP06).</p>
TP06:	Listening to, and acting upon, tenants' views	<p>A new resident engagement strategy is being created with the help of TPAS. Following resident engagement activity, this strategy is due to be finalised in May 2024 and will be brought to this Sub-Committee for approval.</p> <p>The strategy will result in new mechanisms for listening to the tenant voice, ensuring that this is acted upon, and tenants are aware of how their feedback influences service provision.</p>
TP09	Complaints handling	<p>Officers are already reviewing practice in this area and will complete a new Self-Assessment against the Housing Ombudsman's <i>Complaint Handling Code</i>. This will result in an improvement action plan.</p> <p>It is intended that complaint handling will be a key area for residents to scrutinise and there are opportunities</p>

		for further staff training and development in effectively handling complaints.
TP12	Landlord's handling of antisocial behaviour	<p>We are currently reviewing our work in this area and all relevant staff received training on effective ASB case management in March 2024.</p> <p>We are due to implement a new ASB case management system, E-CINS, which is used by other teams in the City Corporation, to enable better information sharing and performance monitoring.</p> <p>Community safety themes will likely be an area of focus under the new Resident Engagement Strategy, giving residents the opportunity to influence local decision-making on security and safety matters on their estates.</p>

22. Performance in other areas will be addressed through specific pieces of work, which should raise tenant awareness in these areas and have a positive impact on satisfaction. For instance, TP05 – Satisfaction that the Home is Safe; while it is encouraging that 72% of respondents were satisfied that their homes were safe, we would of course like a higher proportion of people to feel safe at home.
23. The Building Safety Act 2022 has introduced a range of obligations for landlords managing relevant residential buildings. A significant amount of work is underway within the Housing Division to ensure compliance with the new duties and meet the requirements of the Building Safety Regulator.
24. Part of this work includes a positive duty on landlords to engage with residents on building safety matters, informing people more clearly and regularly about building safety risks and having clear communications channels that suit residents' diverse needs. Once the new ways of working are embedded, residents will be more aware of the risks affecting their building and the measures we are taking to reduce or eliminate them. This greater awareness should result in a larger proportion of tenants being satisfied with safety in their homes, and being satisfied that we are keeping them informed about issues which matter to them.
25. The Resident Focus Project, which was commenced in response to an external review of customer service activity across Housing and Property Services, will also deliver further service improvements designed to have a positive impact on tenant satisfaction. The focus of this initiative is on making it easier for residents to access services, clarifying service standards and supporting staff to provide better customer service.

26. Staff throughout the Housing Division have recently completed initial “Positive Impact” customer service training provided by MGI, which is currently being embedded through a range of learning and development activities which will take place throughout the coming year. This training, along with improvements identified through the Resident Focus Project, is intended to improve customer service standards and enable staff to feel more confident in their roles. It is anticipated that these initiatives will positively impact these areas in particular:

- overall satisfaction
- satisfaction with estate office services
- satisfaction that the City is easy to deal with
- agreement that the City treats tenants fairly and with respect
- satisfaction with complaints handling

## **Corporate & Strategic Implications**

### **Strategic implications**

The results of the survey will be used to inform service improvements, not confined to those outlined above. This will support the delivery of the strategic aims in our Corporate Plan and, when launched, our new Housing Strategy.

Financial implications – none.

Resource implications – none.

Legal implications – none.

Risk implications – none.

Equalities implications – none.

Climate implications – none.

Security implications – none.

## **Conclusion**

27. The first regulatory return for the Tenant Satisfaction Measures is due to be submitted by the end of June 2024.

28. The overall results have previously been reported to this Sub-Committee and this report provides Members with more information about the response to each question, plus information about additional questions which were asked about cost-of-living pressures and estate office services.

29. Officers are identifying service improvements and issues which can inform future communication with residents. Many of the themes of the TSMs will be addressed in the new Housing Strategy, which is currently in development. Additionally, supporting service plans will address more detailed actions with the intention of making targeted service improvements and supporting increased tenant satisfaction.

## **Appendices**

- Appendix 1 - Breakdown of results for Tenant Perception Measures and Additional Questions

## **Background Papers**

- Housing Management and Almshouses Sub-Committee, 30 January 2024, Tenant Satisfaction Survey Results

### **Liam Gillespie**

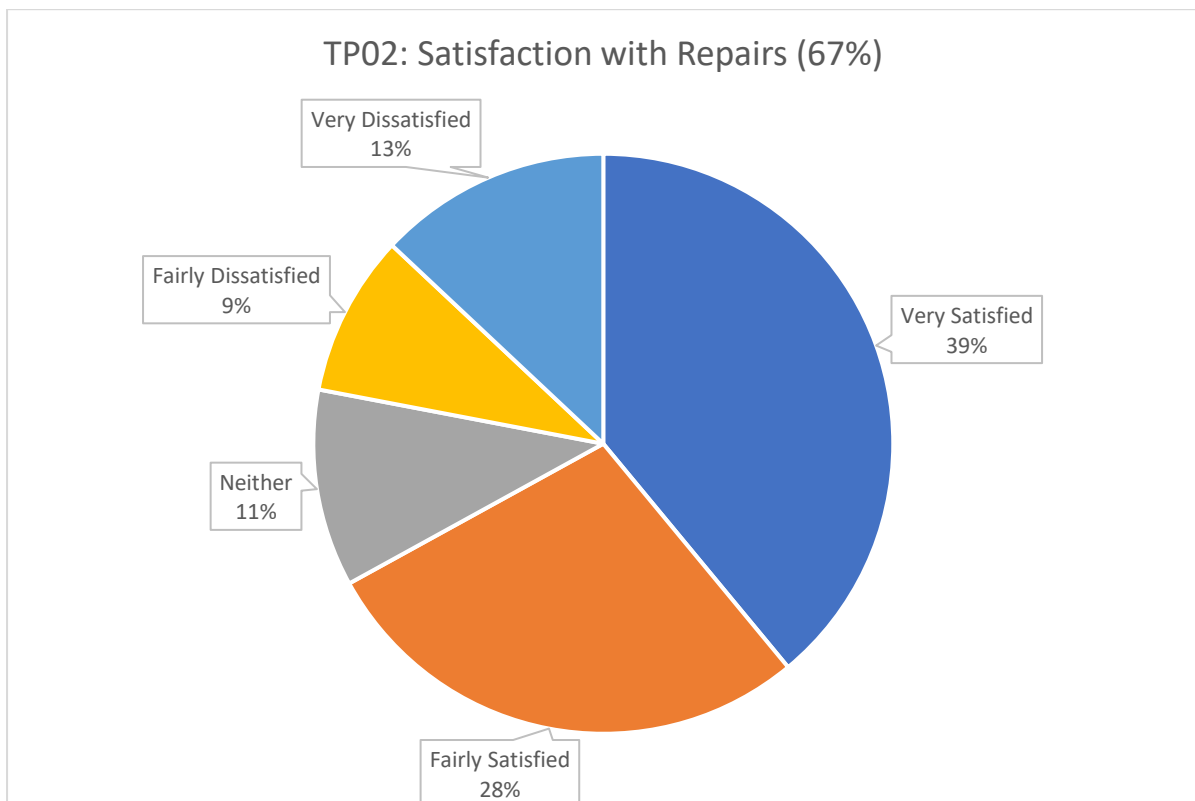
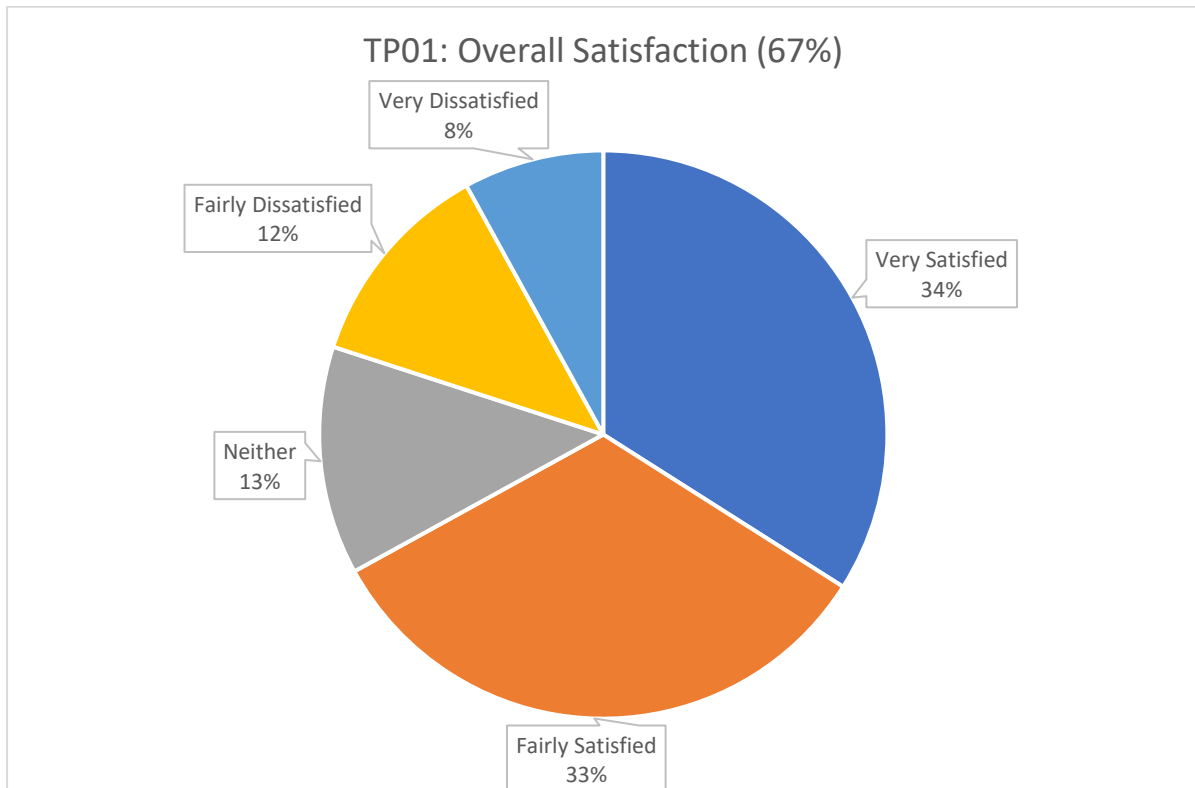
Head of Housing Management

T: 020 7332 3785

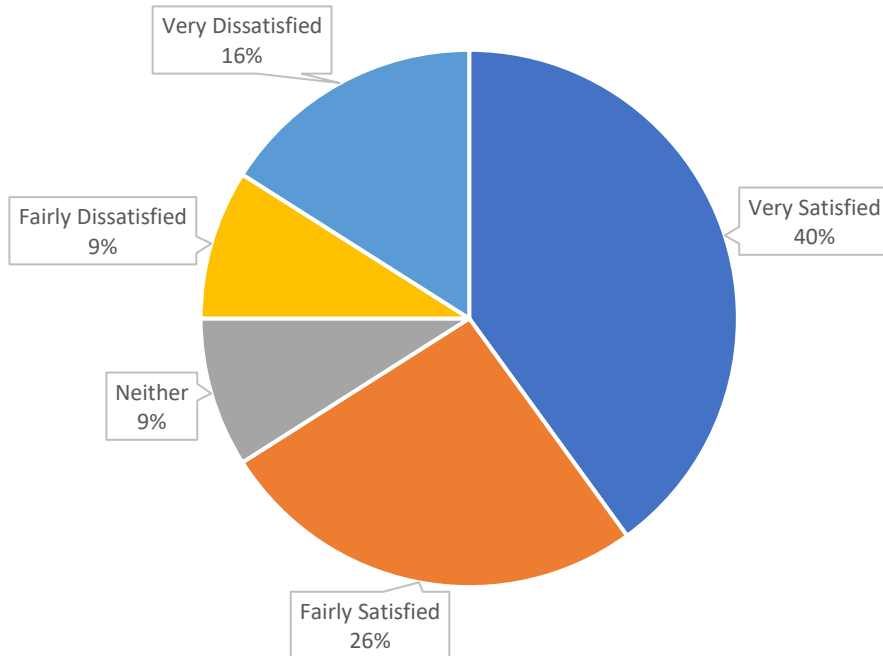
E: [liam.gillespie@cityoflondon.gov.uk](mailto:liam.gillespie@cityoflondon.gov.uk)

**Tenant Satisfaction Survey 2023/4 – Breakdown of Results**

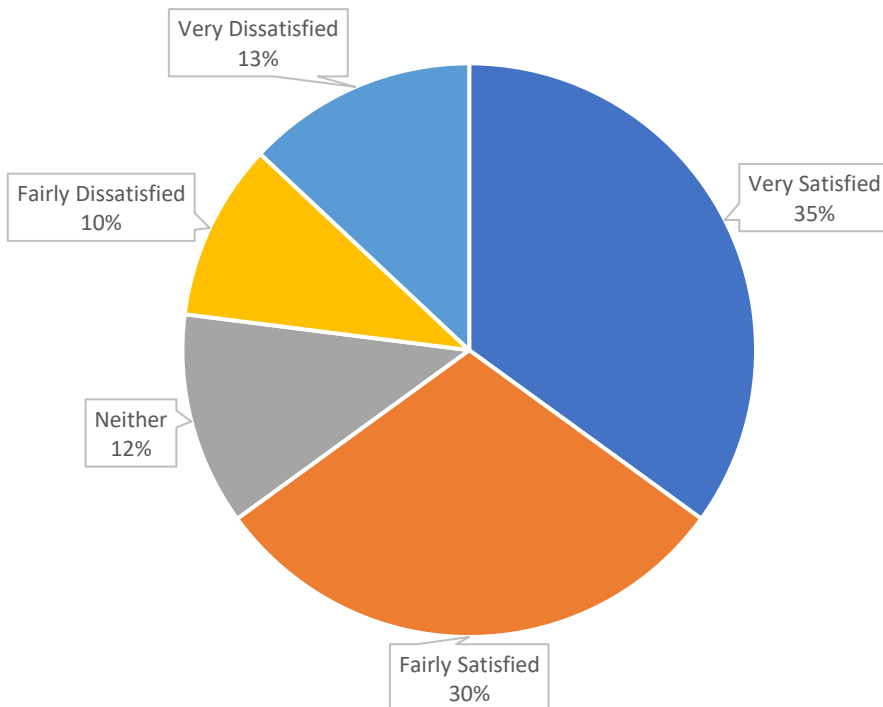
**PART ONE: TENANT PERCEPTION MEASURES**



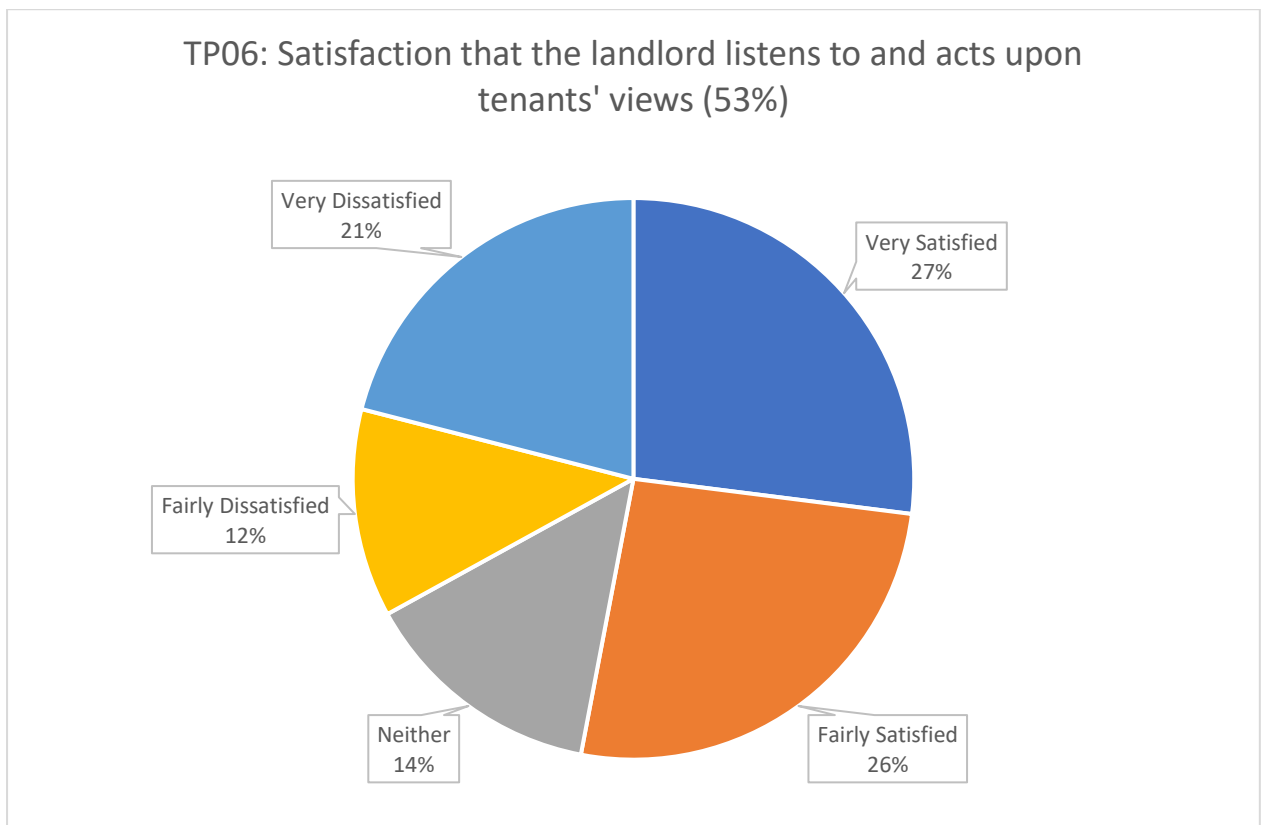
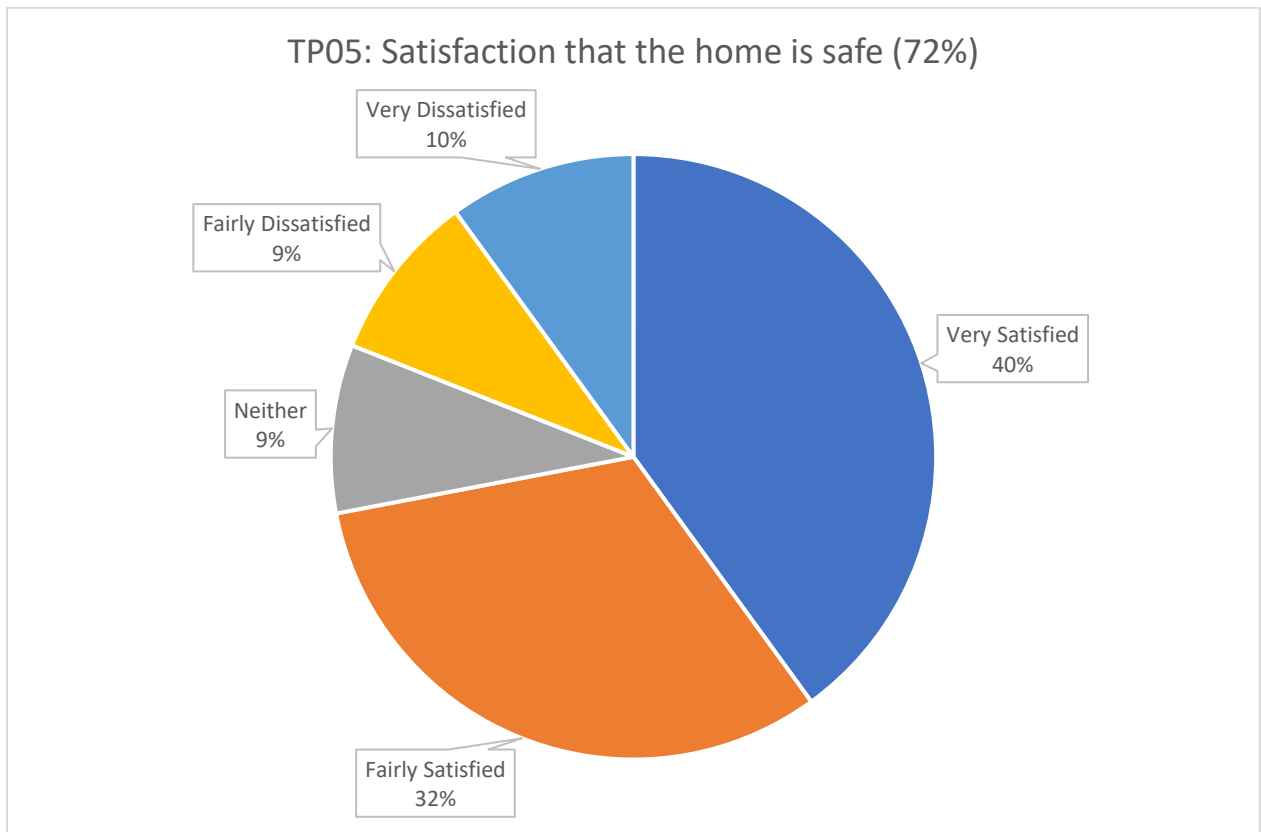
TP03: Satisfaction with time taken to complete most recent repair (66%)



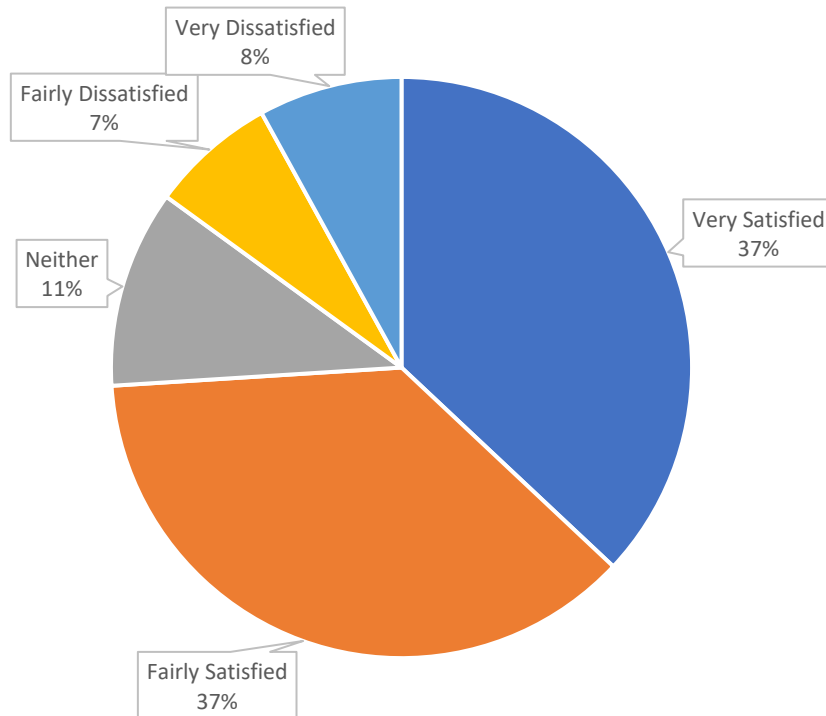
TP04: Satisfaction that the home is well-maintained (65%)



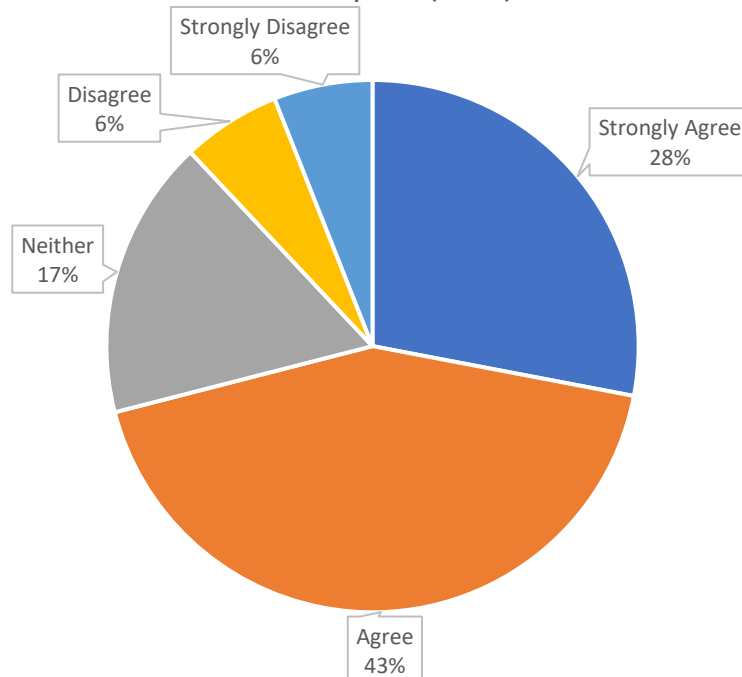


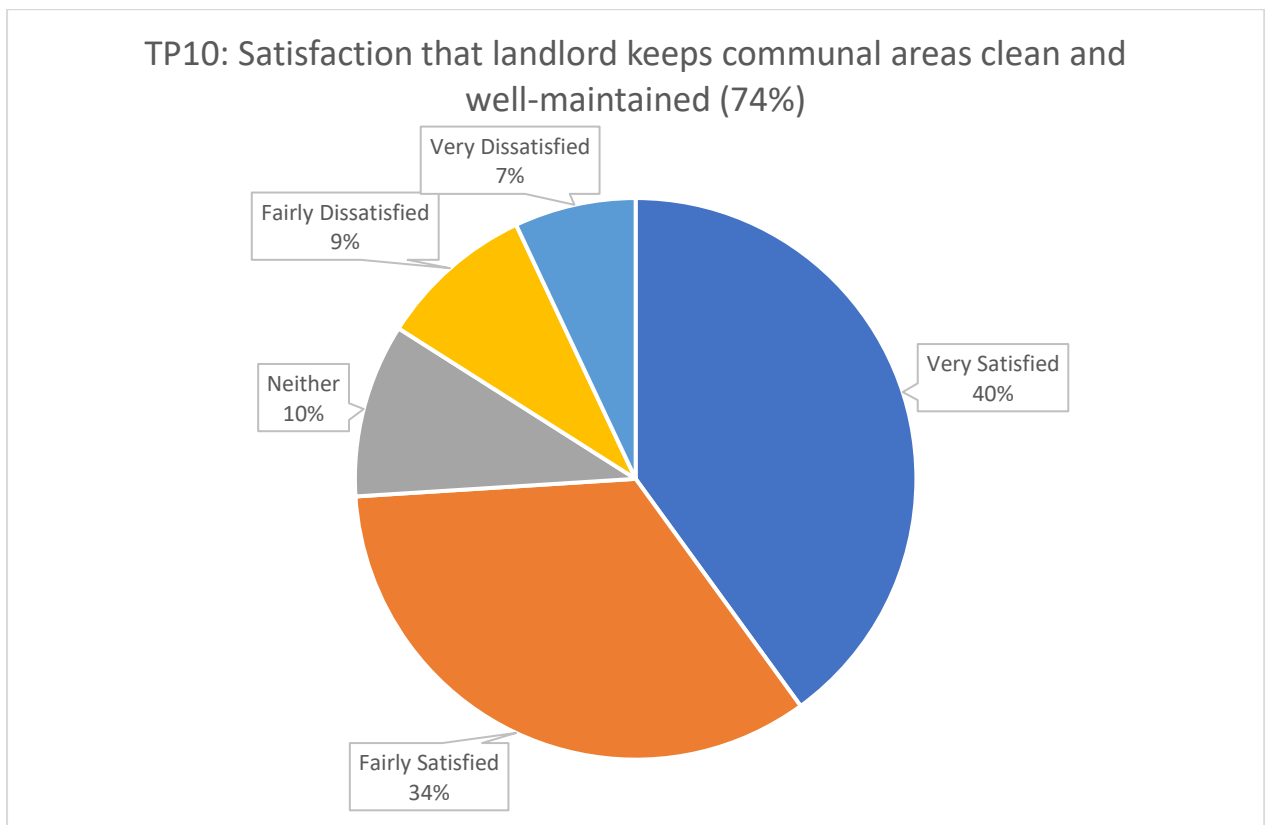
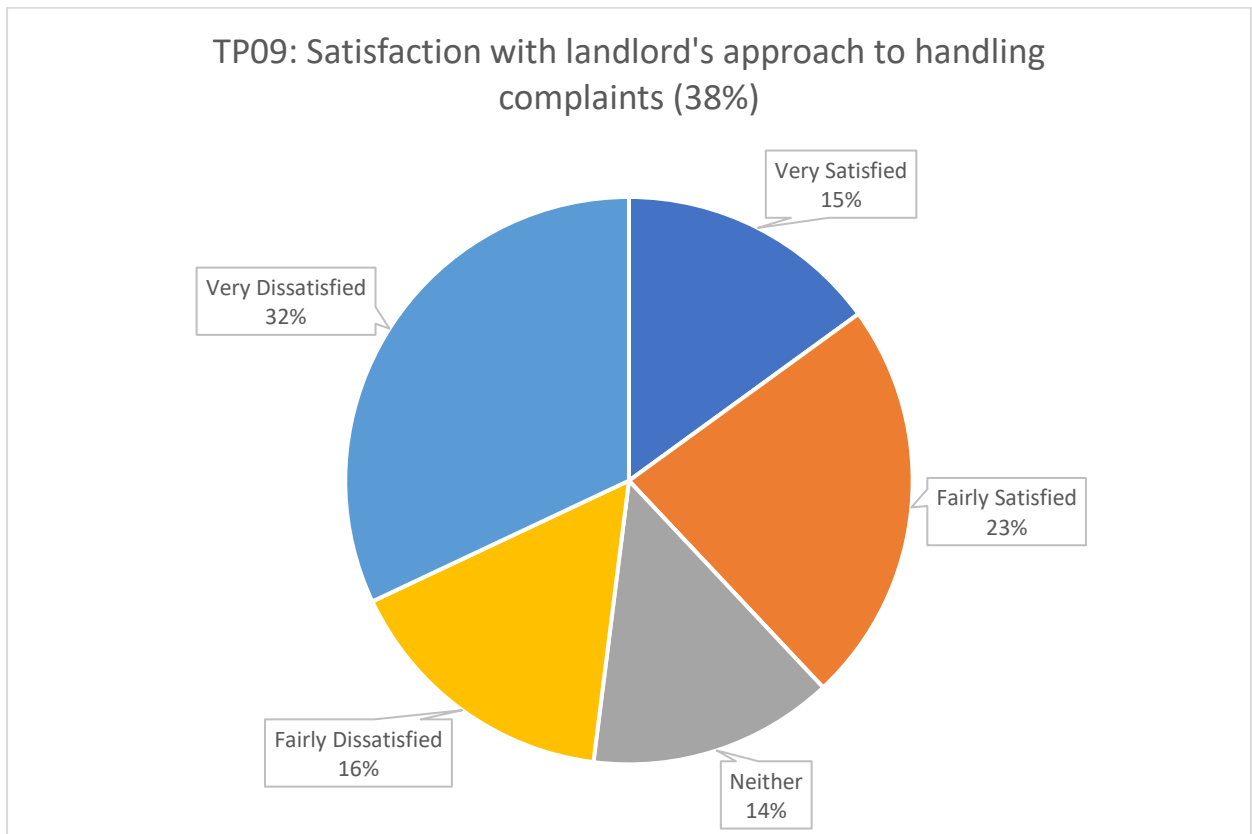


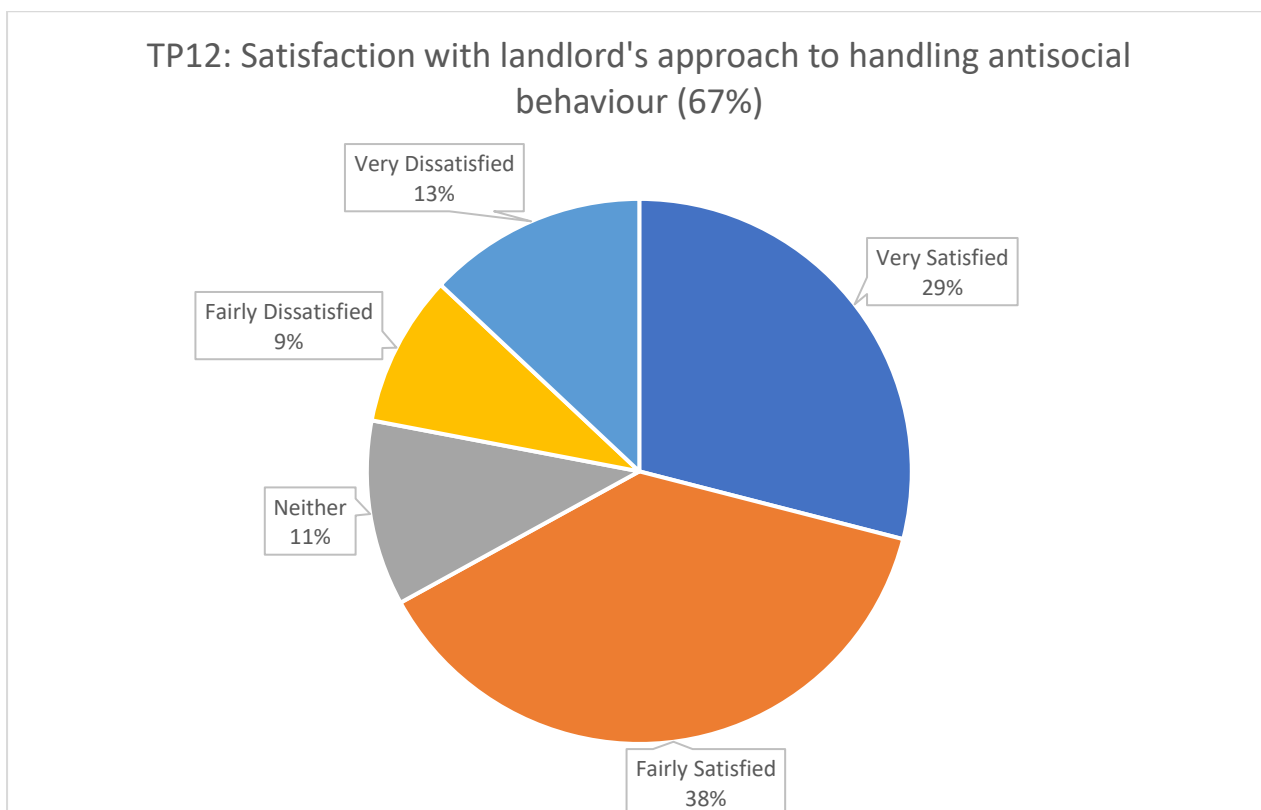
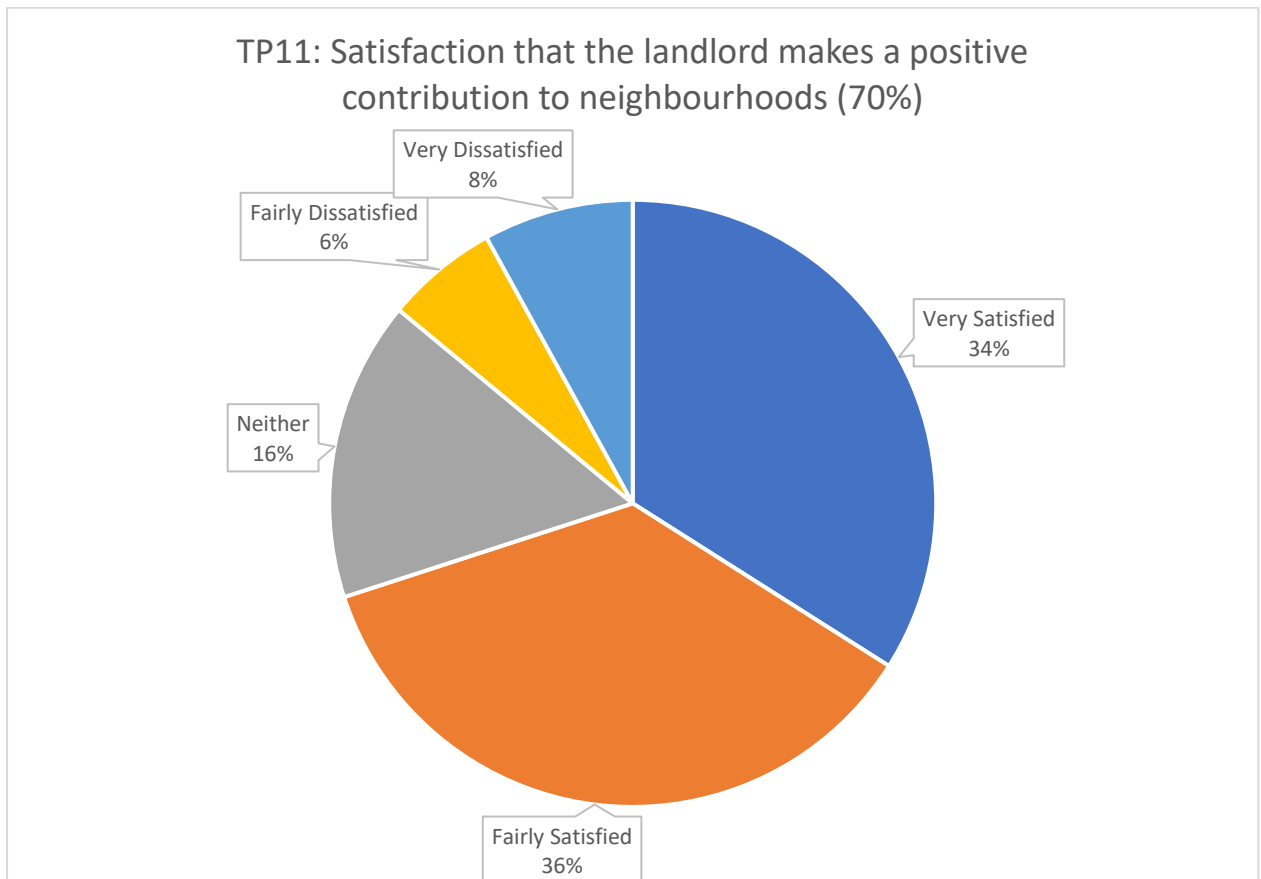
TP07: Satisfaction that the landlord keeps tenants informed about things that matter to them (74%)



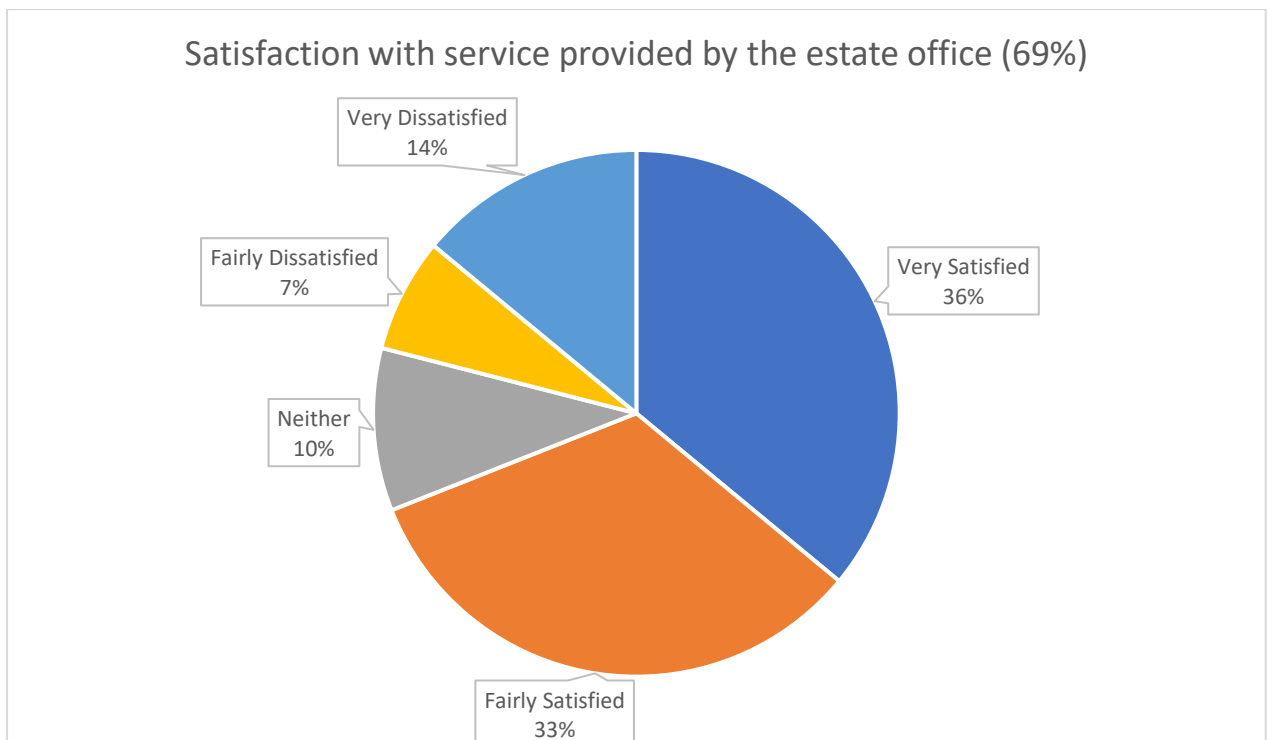
TP08: Agreement that the landlord treats tenants fairly and with respect (71%)

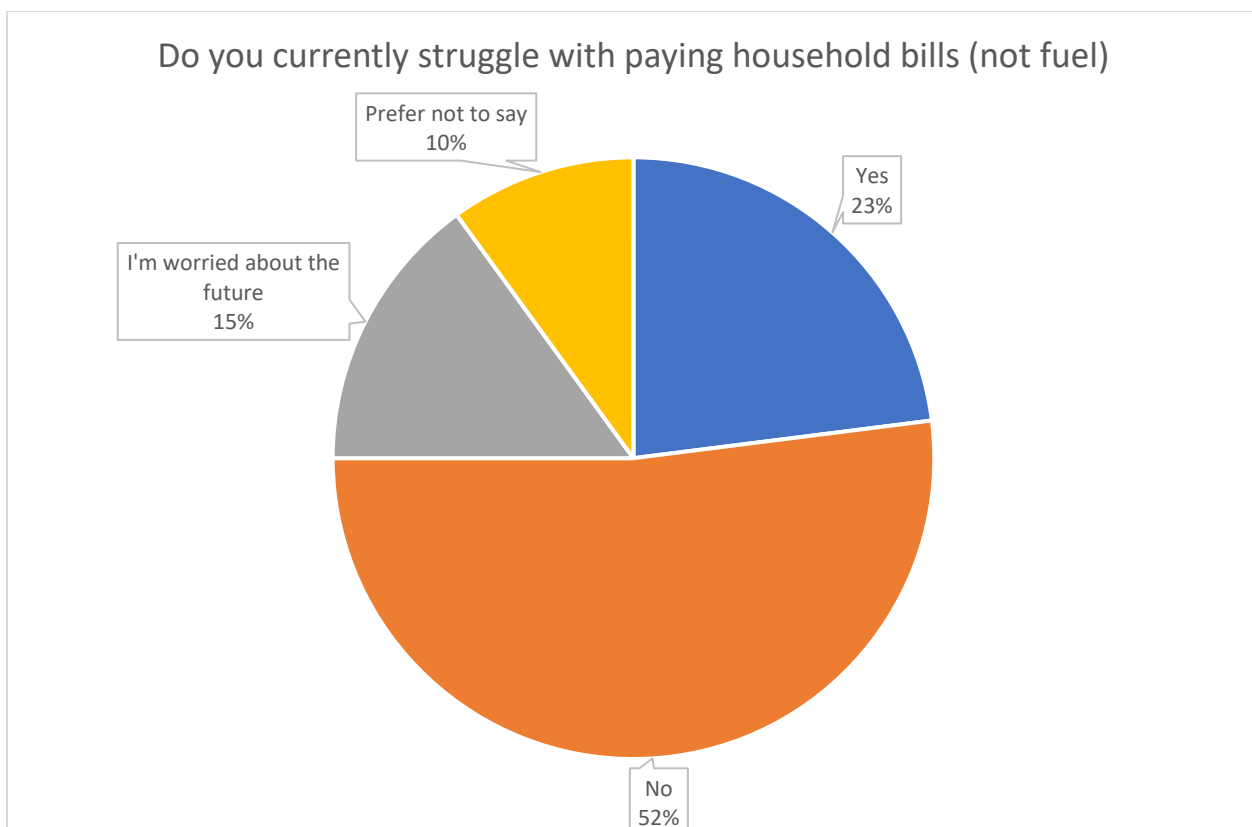
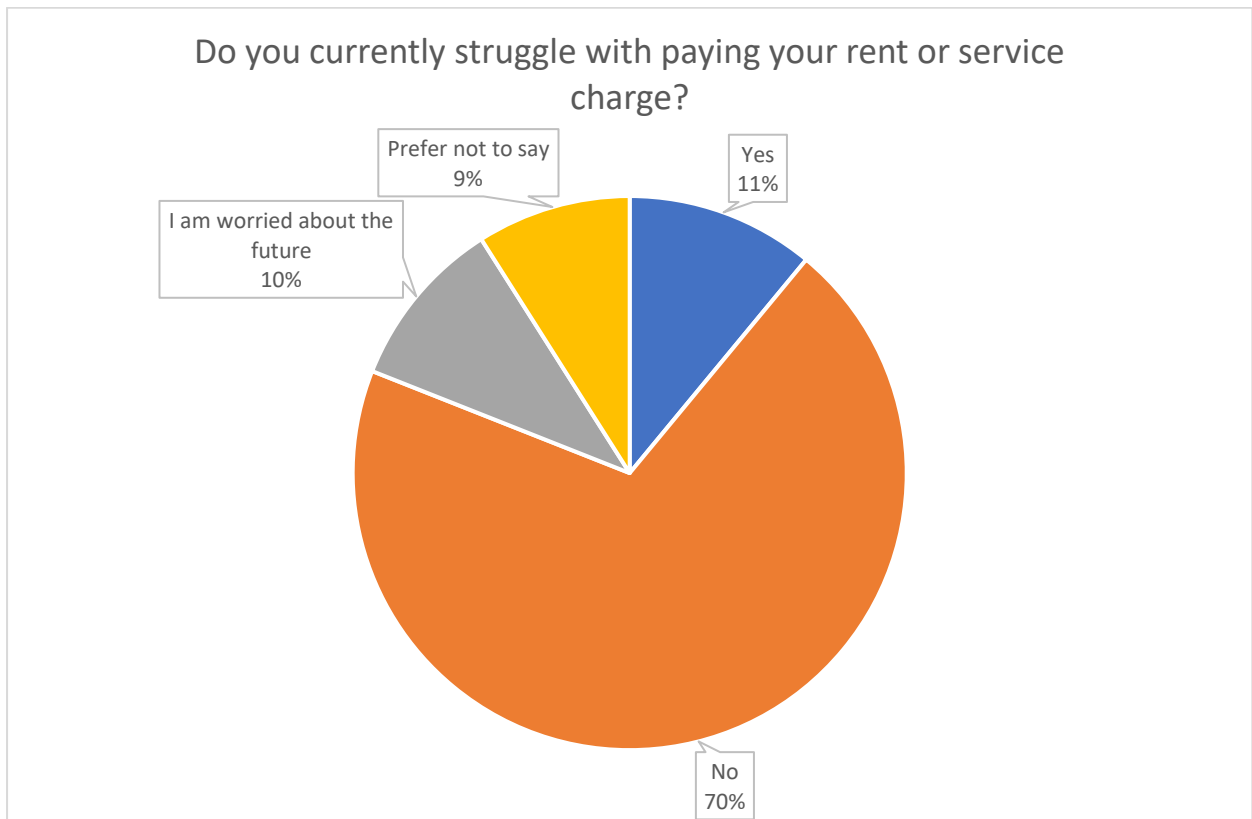


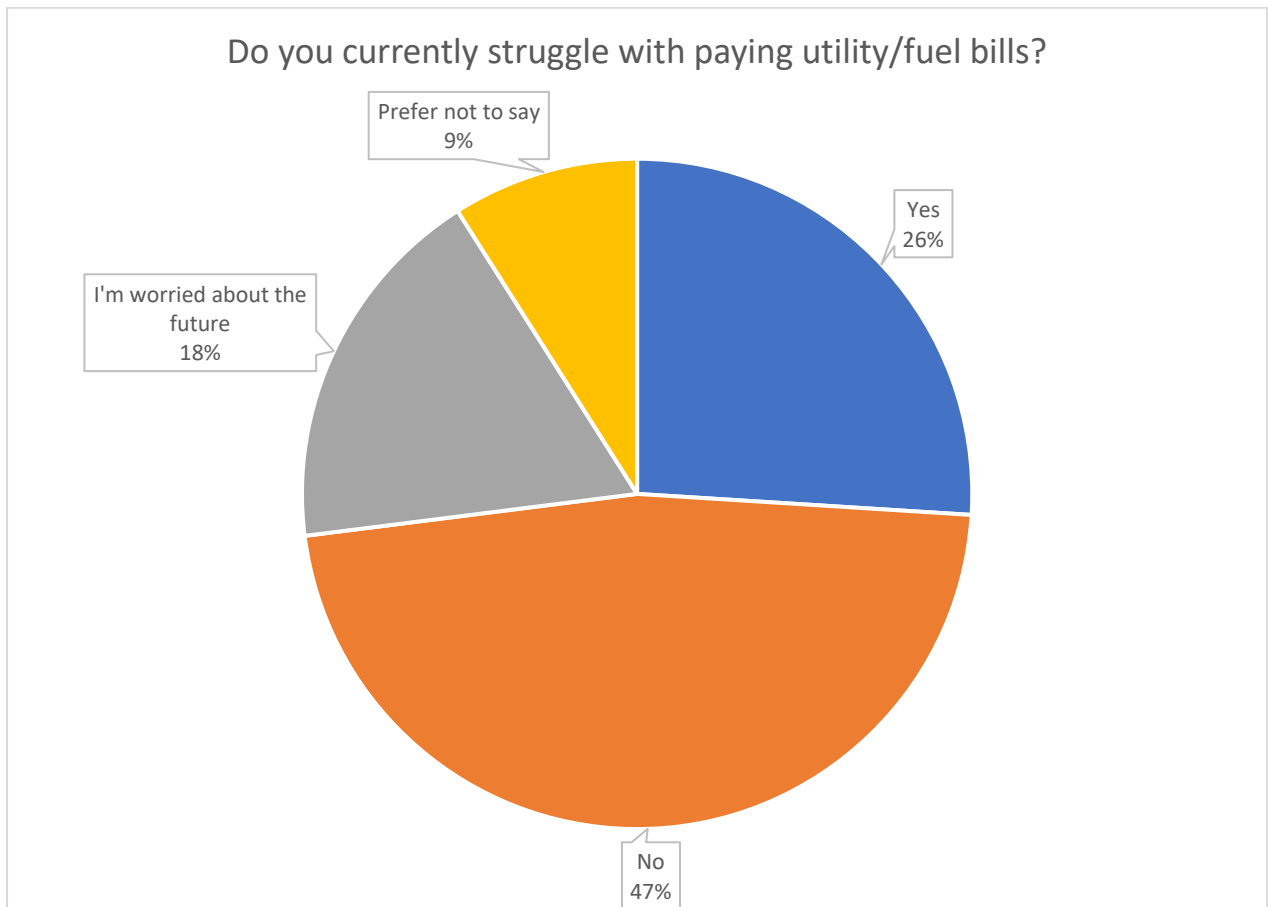




**PART TWO: ADDITIONAL QUESTIONS**







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# Agenda Item 9

<b>Committee(s):</b> Housing Management & Almshouses Sub-Committee	<b>Dated:</b> 17 April 2024
<b>Subject:</b> CoL Almshouses Revenue & Capital Budgets 2023/24 and 2024/25	<b>Public</b>
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>	1,2,3,4,12.
<b>Does this proposal require extra revenue and/or capital spending?</b>	N
<b>Report of:</b> The Chamberlain and The Director of Community and Children’s Services	<b>For Information</b>
<b>Report author:</b> Yosef Demissie, Senior Finance Officer, Chamberlain’s Department	

### Summary

1. This report is the annual submission of the City of London Almshouses revenue budgets overseen by your Committee. In particular it seeks approval for the revenue budget for 2024/25.
  
2. The overall budget position is summarised below: -

Table 1: Overall Position	Original Budget 2023/24 £,000	Original Budget 2024/25 £'000	Movement 2023/24 to 2024/25 £'000
Income	382	420	38
Expenditure	(303)	(372)	(69)
<b>Surplus on income and expenditure account</b>	<b>79</b>	<b>48</b>	<b>(31)</b>
Actual/Estimated Reserve brought forward	2,833	3,120	287
Reserve carried forward	2,912	3,168	256

3. Overall, the 2024/25 budget indicates a surplus on income and expenditure of £48,000, a decrease of £31,000 compared with the Original Budget for 2023/24.
4. The reserve is both a contingency against unforeseen expenditure and a provision for the financing of future expenditure.

### **Recommendations**

5. The Committee is requested to:
  - Review the 2024/25 revenue budget to ensure that it reflects the Committee's objectives.

## **Main Report**

### **Management of the City of London Almshouses**

6. In accordance with existing practice, the management costs of Property Services provided by the Community and Children's Services Department are excluded. However, the budgets for the Almshouses do include the costs of Support Services provided by the City of London Corporation's central departments and the Community and Children's Services Department.

### **Proposed Budget Position 2023/24 and 2024/25**

7. The detailed budgets and reserves are set out in Table 2.
8. Expenditure and adverse variances are presented in brackets. Only significant variances (generally those greater than £10,000) have been commented on in the following paragraphs.
9. There is an increase in Rental and Service charges income in 2024-25 compared to 2023-24. The capped rental increases has been estimated in these figures will now rise to 7.7% given latest government guidance.
10. There is an increase in Council tax cost due to high number of voids.

**Table 2**

Actual 2022/23 £'000	City of London Almshouses Trust	Original Budget 2023/24 £'000	Latest Budget 2023/24 £'000	Original Budget 2024/25 £'000	Movement 2023/24 to 2024/25 £'000	Paragraph Ref
	<b>Expenditure</b>					
<b>(111)</b>	<b>Employees</b>	<b>(115)</b>	<b>(129)</b>	<b>(129)</b>	<b>(14)</b>	11
(85)	Repairs and maintenance	(96)	(125)	(125)	(29)	Annex A1
(6)	Energy Costs	(4)	(4)	(4)	0	
(7)	Rents	(8)	(8)	(8)	0	
(25)	Council Tax	(11)	(22)	(22)	(11)	10
0	Water	(1)	(1)	(1)	0	
(4)	Cleaning and Domestic Supplies	(5)	(5)	(5)	0	
(9)	Grounds Maintenance Costs	(9)	(9)	(9)	0	
<b>(136)</b>	<b>Total Premises Related Expenses</b>	<b>(134)</b>	<b>(174)</b>	<b>(174)</b>	<b>(40)</b>	
(1)	Equipment, Furniture and Materials	(2)	(2)	(2)	0	
(5)	Communications and Computing	(13)	(16)	(13)	0	
(27)	Fees and Services	(7)	(13)	(13)	(6)	
(3)	Contributions to Provisions	0	0	0	0	
(0)	Clothes, Uniform & Laundry	(1)	(1)	(1)	0	
(3)	Hospitality	(2)	(2)	(2)	0	
<b>(39)</b>	<b>Total Supplies and Services</b>	<b>(25)</b>	<b>(34)</b>	<b>(31)</b>	<b>(6)</b>	
(33)	Recharges for Support Services	(23)	(32)	(32)	(9)	
(6)	Transfer Payments	(6)	(6)	(6)	0	
(4)	Transport	0	(1)	0	0	
<b>(329)</b>	<b>Total Expenditure</b>	<b>(303)</b>	<b>(376)</b>	<b>(372)</b>	<b>(69)</b>	
	<b>Income</b>					
(2)	Commission/Royalties	0	0	0	0	
201	Rental income	249	255	275	26	9
72	Service Charges	89	97	105	16	9
37	Investment Income	44	40	40	(4)	
<b>308</b>	<b>Total Income</b>	<b>382</b>	<b>392</b>	<b>420</b>	<b>38</b>	
<b>(21)</b>	<b>Net Surplus/ (Deficit)</b>	<b>79</b>	<b>16</b>	<b>48</b>	<b>(31)</b>	
	<b>Reserves</b>	-				
3,241	Balance Brought Forward	2,833	3,202	3,120	287	
(21)	Income and Expenditure Account	79	16	48	(31)	(as above)
0	Capital Refurbishment works	0	(86)	0	0	13
(18)	Increase/Decrease in Market Value of Investments	0	(12)	0	0	
<b>3,202</b>	<b>Balance Carried Forward</b>	<b>2,912</b>	<b>3,120</b>	<b>3,168</b>	<b>256</b>	

## Manpower Statement

11. Analysis of the movement in manpower and related staff costs are shown in table 3 below.

Table 3

	Original Budget 2023/24		Original Budget 2024/25	
	Manpower Full-Time Equivalent	Estimated Cost £'000	Manpower Full-Time Equivalent	Estimated Cost £'000
Housing Management	0.53	(28)	0.53	(32)
Matrons - Employees	0.95	(54)	0.95	(59)
Gardener	0.80	(33)	0.80	(38)
<b>Total Employee Costs</b>	<b>2.28</b>	<b>(115)</b>	<b>2.28</b>	<b>(129)</b>

## Investments

12. The Trust holds 86,077 units in the Corporation's Charities Pool with a market value as at 30 September 2023 of £767,376 (unit price £8.915). The distribution rate for the first six months of 2023/24 was 2.15%. Cash is held by the Chamberlain on behalf of the Trust and is invested with other City of London funds on the London Money Markets. In this way, the Trust benefits from the higher interest rates that the City of London can obtain. The budget assumes interest on cash balances of 1.83% for 2023-24 and 1.83% for 2024-25 onwards. Interest is credited annually based on the Trust's average cash balance.

## **Draft Capital and Supplementary Revenue Budgets**

13. The latest estimated costs for the Committee's draft capital and supplementary revenue projects are summarised in the Table 4 below.

Table 4

Service	Project	Exp. Pre 01/04/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	Later Years £'000	Total £'000
	<b><u>Authority to start work</u></b>						
Almshouses Trust	Refurbishment Works	655	86	-	-	-	741
<b>TOTAL Almshouses Trust</b>		<b>655</b>	<b>86</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>741</b>

14. The latest Capital and Supplementary Revenue Project forecast expenditure on approved schemes are to be presented to the Court of Common Council for formal approval in March 2024.

15. All costs are being funded from the Trust reserves.

### **Background Papers:**

Estimate Working Papers          Chamberlain's

### **Contact:**

Contact Officers:

Chamberlain's Department –

Yosef Demissie Tel: 020 7332 3199 / [yosef.demissie@cityoflondon.gov.uk](mailto:yosef.demissie@cityoflondon.gov.uk)

Community and Children's Services Department –

Pam Wharfe Tel: 020 7332 3015 / [Pam.Wharfe@cityoflondon.gov.uk](mailto:Pam.Wharfe@cityoflondon.gov.uk)

## Annex A1

<b>REPAIRS, MAINTENANCE AND IMPROVEMENTS</b>		Original Budget 2023/24 £'000	Latest Budget 2023/24 £'000	Original Budget 2024/25 £'000
<u>Breakdown and Emergency Repairs</u>				
Building	E	(40)	(92)	(92)
Electrical	E	(8)	(8)	(8)
Breakdown Heating and Ventilating	E	(5)	(10)	(10)
Breakdown Rech Insurance Claim	E	(6)	(1)	(1)
		(59)	(111)	(111)
<u>Contract Servicing</u>				
Electrical	E	(5)	(2)	(2)
Heating & Ventilating	E	(10)	(7)	(7)
		(15)	(9)	(9)
<u>Cyclical Works</u>				
Asbestos Data	E	(2)	0	0
Electrical Testing	E	0	(2)	(2)
Water Supply Works	E	(5)	(1)	(1)
Redecorations Works	A	(5)	0	0
Portable Appliance Testing	E	(1)	(1)	(1)
		(13)	(4)	(4)
<u>Projects</u>				
Brickwork and Concrete Repairs	E	(6)	(1)	(1)
Tree Maintenance and Pruning	A	(1)	0	0
Asbestos Management	A	(2)	0	0
		(9)	(1)	(1)
<b>Total Repairs, Maintenance, and Improvements</b>		(96)	(125)	(125)

Key: E = Essential    A= Advisable    D= Desirable

<b>Committee:</b> Housing Management and Almshouses Sub-Committee	<b>Dated:</b> 17/04/2024
<b>Subject:</b> Housing Complaints Update	<b>Public</b>
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>	2, 4, 12
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>£</b>
<b>What is the source of Funding?</b>	
<b>Has this Funding Source been agreed with the Chamberlain’s Department?</b>	<b>N/A</b>
<b>Report of:</b> Judith Finlay, Executive Director of Community and Children’s Services	<b>For Decision</b>
<b>Report author:</b> Liam Gillespie, Head of Housing Management, Department of Community and Children’s Services	

## Summary

This report addresses two actions contained in the Housing Management and Almshouses Sub-Committee action tracker, relating to housing complaints and the potential use of arbitration as a means of resolving complaints.

The Housing Ombudsman’s expectation of social landlords in complaints handling has changed, with a new Complaint Handling Code, which is now statutory following the passing of the Social Housing (Regulation) Act 2023. This Code requires landlords to identify a senior lead person and a Member responsible for complaints, and two recommendations are made about the proper people to hold these positions.

This report also outlines recent complaints and compensation figures and provides an update on how officers intend to incorporate complaints learning into current processes through a Complaints Learning Panel.

The current policies on complaints and compensation are under review and will be submitted to this Sub-Committee for approval, once they have been amended to ensure compliance with the changed Complaint Handling Code.

## Recommendations

Members are asked to:

- Note the report
- Comment on the suitability of arbitration as a potential dispute resolution measure for housing complaints at the City Corporation

- Endorse the suggestion that the Assistant Director for Housing Management acts as the 'senior lead person' for housing complaints in accordance with the Housing Ombudsman's Complaint Handling Code
- Endorse the suggestion that the Chairman of this Sub-Committee acts as the Member Responsible for Complaints (MRC) under the same Code
- Agree the reporting cycle for complaints matters proposed in section 11

## **Main Report**

### **Background**

1. This report is intended to update Members on our management of housing complaints and outline regulatory changes relating to the handling of complaints by social landlords.
2. Our current policies on Complaints and Compensation are under review and are attached to this report. Members may wish to comment on any matters they would like officers to consider as part of the review of these policies.
3. At the April 2023 meeting of this Sub-Committee, Members suggested that officers should examine the possibility of using arbitration as a means of resolving complaints. The example of Southwark Council's housing arbitration service was suggested, and officers have been in contact with counterparts at that authority regarding their process. Further information is provided below.

### **Housing Ombudsman - Complaints Handling Code**

4. The City Corporation is a compulsory member of the Housing Ombudsman Scheme. The Ombudsman provides a free, independent, and impartial service which investigates complaints from tenants and leaseholders of social landlords, in accordance with the rules set out in the Housing Ombudsman Scheme.
5. The Ombudsman has a Complaint Handling Code, which sets out the Ombudsman's expectations of landlords and how they manage complaints. Some key areas of the Code are:
  - a universal definition of a complaint
  - providing easy access to the complaints procedure and ensuring residents are aware of it, including their right to access the Housing Ombudsman Service
  - the requirement to have two complaints stages, and clear times set out for responses
  - ensuring fairness in complaint handling with a resident-focused process
  - taking action to put things right and appropriate remedies
  - creating a positive complaint handling culture through continuous learning and improvement
  - completing an annual self-assessment against the Code



6. With effect from 1 April 2024, the Code became statutory in accordance with the Social Housing (Regulation) Act 2023. Landlords with more than 1,000 homes are now required to return an annual self-assessment of their compliance with the Code, at the same time as they submit their Tenant Satisfaction Measures (TSMs) return to the Regulator for Social Housing.
7. The deadline for the next TSMs return and submission of the self-assessment is 30 June 2024. Officers are due to complete the latest self-assessment in April 2024. This will be published on our website so that residents can see how we are performing against the requirements of the Code.
8. A service improvement plan will be developed to address any areas of non-compliance with the Code, which will be submitted to this Sub-Committee and published on our website.

### **‘Senior Lead Person’ and ‘Member Responsible for Complaints’**

9. The Complaint Handling Code requires:

- A ‘senior lead person’ to be appointed as being responsible for complaints handling, who must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision
- A member of our governing body to be appointed to have lead responsibility for complaints, to support a positive complaints culture (referred to as the Member Responsible for Complaints or ‘MRC’). The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord’s complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings

10. It is suggested that:

- the Assistant Director for Housing Management acts as the named senior lead officer for this purpose
- the Chairman of the Housing Management and Almshouses Sub-Committee should hold the responsibilities of the Member Responsible for Complaints

11. The Code states that the MRC must receive:

- regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance
- regular reviews of issues and trends arising from complaint handling
- regular updates on the outcomes of the Ombudsman’s investigations and progress made in complying with orders related to severe maladministration findings
- an annual complaints performance and service improvement report

12. To meet the requirements of the Code in relation to the MRC's responsibilities, it is proposed that officers submit a quarterly report to this Sub-Committee, outlining performance and key information on complaints.
13. Subject to Members' comments, the first such report can be submitted to this Sub-Committee's next meeting on 8 July 2024, to cover the full 2023/4 financial year, and including the self-assessment against the Code. Subsequent reports can then be provided, covering each quarter, and providing the information outlined in paragraph 8 above.

### **Complaints Learning Panel**

14. Officers have set up a Complaints Learning Panel, which will be held quarterly to review the outcomes of complaints from residents. The purpose of the Complaints Learning Panel is to identify themes, trends and potential service improvements (including amendments to policies and procedures) arising out from resident complaints. Any identified actions will be tracked by the responsible officers. The Panel will be chaired by the Assistant Director or their delegate, as the senior lead person for complaints purposes.
15. The activity of the Panel will be used to create reports to this Sub-Committee and support the role of the MRC, as well as informing communications with residents on service improvements identified.

### **Complaints Figures, 2021 – 2024**

16. **Appendix One** shows the total Stage One complaints received over the past three financial years.
17. There has been a marked increase in total complaints, particularly for repairs related matters (which includes Major Works complaints). In 2023/4, there was an increase in repairs complaints of 84% based on the previous year. The increase for housing management complaints was 55% for the same period.
18. A change in the Housing Complaints Policy came into force in September 2021, bringing the process in line with the Housing Ombudsman Complaint Handling Code. Changes to the policy removed the third investigation stage, with stage two being the final stage for internal investigation. Stage Three investigations were honoured for those complaints currently under investigation at the time of the policy change.
19. In line with the Complaint Handling Code, we promoted resident awareness of how to make a complaint by promoting the service and policy changes, including updating the webpage, ways to make a complaint, attending estate drop-ins and placing articles in the @Home residents' magazine.
20. We increased complaints awareness among staff at this time, ensuring that officers are clear on what defines a complaint, and their responsibility in ensuring that complaints are forwarded appropriately and that residents are signposted to the service.

21. Increased awareness of the complaints process might explain some of the increase, however the standard of service provided in some areas, for example in responsive repairs, will likely account for a sizeable part of the noted increase. Members are aware of the challenges faced by the Repairs service at present, and the actions being taken by officers to address under-performance.
22. An analysis of trends and themes arising from these complaints is being compiled for discussion at the Complaints Learning Panel, to try to isolate the drivers for the increase in complaints over the past three years, and enable remedial action to be planned. Officers will present this further analysis to Members in July 2024.

### **Compensation and Housing Complaints**

23. The aim of complaints resolution is to put matters right as far as is reasonably practicable. Sometimes, the appropriate solution is an amount of financial compensation, for instance where there has been a quantifiable loss to a complainant (e.g. damage to their property).
24. In some cases, it is appropriate to offer an amount in recognition of distress or inconvenience caused to a complainant. Our current Compensation Policy gives some examples of the sums that might be offered in these circumstances:
  - £25 for a missed appointment
  - Goodwill gesture up to £50 for distress and inconvenience
25. Officers have discretion under this policy to make an award of financial compensation appropriate to the circumstances. If a service failure results in serious inconvenience or distress to a complainant, a decision will be made on an appropriate amount of compensation with reference to previous complaints and typical amounts awarded by the Housing Ombudsman.
26. As outlined below, the Compensation Policy is being reviewed and it is intended that more detail will be provided about financial compensation and the typical amounts that might be offered in given circumstances.
27. The table below shows the total compensation paid to complainants over the past three years.

<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
£750.00	£7,351.00	£9,221.61

28. The figures above include some substantial amounts of compensation which were payable by contractors, however they are included in the figures as they were offered in response to complaints investigated through our complaints procedure.
29. There are several possible reasons for the increase in compensation besides the increase in complaints which are upheld:

- the compensation policy had not always been referred to correctly by complaints investigators, to determine if the level of service failure warranted an award, however this has been addressed
- investigating officers for repairs and maintenance complaints had been relying on complainants requesting compensation, rather than referring to the policy to determine if the service failures identified warranted compensation

30. The changing requirements of the Complaint Handling Code and improved awareness among officers has meant that complaints investigators are now clearer on the expectations regarding awards for service failures which have caused distress and inconvenience to residents.

### **Policy Reviews**

31. Officers are currently reviewing both the Housing Complaints Policy (Appendix Two) and the Compensation Policy (Appendix Three), to ensure that they are compliant with the expectations of the Housing Ombudsman and the Complaint Handling Code.

32. The Housing Complaints Policy was last reviewed in 2021 and best practice in this area has developed in the meantime, however it is not anticipated that the policy will change significantly. Some improvements and clarifications have been identified, to better meet the requirements of the Complaints Handling Code.

33. The Compensation Policy was last approved in 2020. Officers have identified that the current policy requires improvement in some respects, to give more detail about typical circumstances in which compensation will be offered, and, where financial remedies are appropriate, list standard amounts that will normally be offered as compensation.

34. Officers intend to submit the revised policies to the 8 July 2024 meeting of this Sub-Committee.

### **Arbitration as a Complaints Resolution Method**

35. At the meeting of HMASC on 17 April 2023, an action was added to the Action Tracker regarding the potential for an 'Arbitration Panel' for resolving complaints from tenants and leaseholders.

36. The model used by the London Borough of Southwark was suggested as an example of the kind of solution that could be considered. Officers have spoken to a counterpart at Southwark Council about the Southwark Arbitration Service, which is used to resolve disputes between that authority and its tenants or leaseholders. It is believed that Southwark's service is the only one of its type operated by a local authority in London.

37. Southwark's Arbitration Service operates two 'tribunals'; one for tenants and one for leasehold disputes. The average caseload pre-COVID was around 45 cases

per year, however this has since fallen. It should be noted that Southwark has a housing stock of approximately 38,000.

38. Each tribunal has a set of rules, which outline the sort of disputes which can be entertained, the composition of the panels and the rules for findings and remedies. The legal basis for the service is the Arbitration Act 1996 and the provisions of the Tenancy Agreement or lease. The Tenancy Agreement lists the sort of disputes which can be referred for arbitration.

39. In outline, Southwark's Arbitration Service works as follows:

- The two tribunal panels are made up of an independent chair (often a housing professional), a Member (not from the Ward in which the dispute arose) and a resident (usually nominated by a Tenants' Association, again not from the area in which the dispute arose)
- A barrister acts as Clerk to the panel to ensure the rules are followed and to record the proceedings and decisions
- The complainant can apply to have their complaint considered by the panel once they have been through the formal housing complaints process (i.e. stages one and two)
- Taking the arbitration route is done by mutual agreement and the parties consent to being bound by the findings of the panel
- The tribunal may award compensation, require specific performance of works up to £50,000, or make a declaration as to the rights of the parties

40. Although the formal complaints process must be exhausted before arbitration may be applied for, it is not strictly a 'third' stage to the housing complaints process, as it is not compulsory; the complainant still has the choice to go to the Housing Ombudsman instead of using arbitration if they wish.

41. The status of arbitration as a quasi-legal method of dispute resolution means that arbitrated complaints will not normally be entertained by the Housing Ombudsman if the complainant subsequently approaches them, as their jurisdiction precludes becoming involved in legal and quasi-legal processes.

42. The types of complaints from tenants that Southwark Arbitration can deal with are contained in the Council's Tenancy Agreement (Conditions of Tenancy) booklet, and include:

- disrepair
- missed appointments
- lack of heating and hot water
- standard of repair

43. The types of complaints from leaseholders that the panel can deal with are:

- alleged unreasonable action regarding the Right to Buy sales process
- alleged breaches of covenant, excluding those which fall under the jurisdiction of the First-Tier Tribunal (Property Chamber).

44. While arbitration is not a 'third stage' of the complaints process, we would still need to clarify how an arbitration process would interact with the revised Complaints Handling Code expectations. The new Code requires that:

*Where a landlord's complaint response is handled by a third party (e.g. a contractor or **independent adjudicator**) at any stage, it must form part of the two stage complaints process set out in this Code. Residents must not be expected to go through two complaints processes.*

45. The justification for providing arbitration is presumably that it is a voluntary option open to the complainant; they may instead elect to pursue their complaint to the Ombudsman if they wish.

46. Were we to consider this further, the following implications would need to be addressed:

- Tenancies and leases would need to be reviewed to ensure that they provided for arbitration. There is reference to arbitration as a dispute resolution option in current leases, however the scope of this would need to be determined. Current tenancies make no reference to alternative methods of dispute resolution
- The potential cost of maintaining the system would need to be determined (this would largely consist of legal fees and officer time)
- The responsibility for administering any arbitration service would need to be decided (i.e. which Department it would sit in, to ensure independence and confidence in the process)
- The compliance of any process with the Housing Ombudsman's expectations would need to be clarified

47. Members are asked to comment on this process and indicate whether they would like officers to consider it further.

## **Corporate & Strategic Implications**

### **Strategic implications**

A clear, transparent and fair complaints process will support the achievement of the outcomes in our proposed Housing Strategy, which is designed to support the delivery of quality resident-focused services.

Financial implications – none.

Resource implications – none.

Legal implications – none.

Risk implications – none.

Equalities implications – none.

Climate implications – none.

Security implications – none.

## **Conclusion**

48. This report addresses two actions contained in the Housing Management and Almshouses Sub-Committee action tracker, relating to housing complaints and the potential use of arbitration as a means of resolving complaints.

49. The Housing Ombudsman's Complaint Handling Code, which is now statutory, outlines expectations of social landlords in complaints handling. Officers are currently reviewing the existing Complaints and Compensation Policies to ensure that our practice in this area accords with these requirements.

50. Housing complaints have increased significantly in 2023/4 and officers will analyse trends and themes in complaints to inform learning and service improvements, through a new Complaints Learning Panel. Members will be kept informed of developments in this area through Committee reports.

51. The model for housing dispute arbitration used by the London Borough of Southwark has been examined and Members are asked to comment on whether this might be suitable for our purposes. The implications of using arbitration, particularly how such a service would interact with the Complaint Handling Code, need further investigation.

## **Appendices**

- Appendix 1 – Complaints totals 2021 - 2024
- Appendix 2 – Complaints Policy
- Appendix 3 – Compensation Policy

**Liam Gillespie**

Head of Housing Management

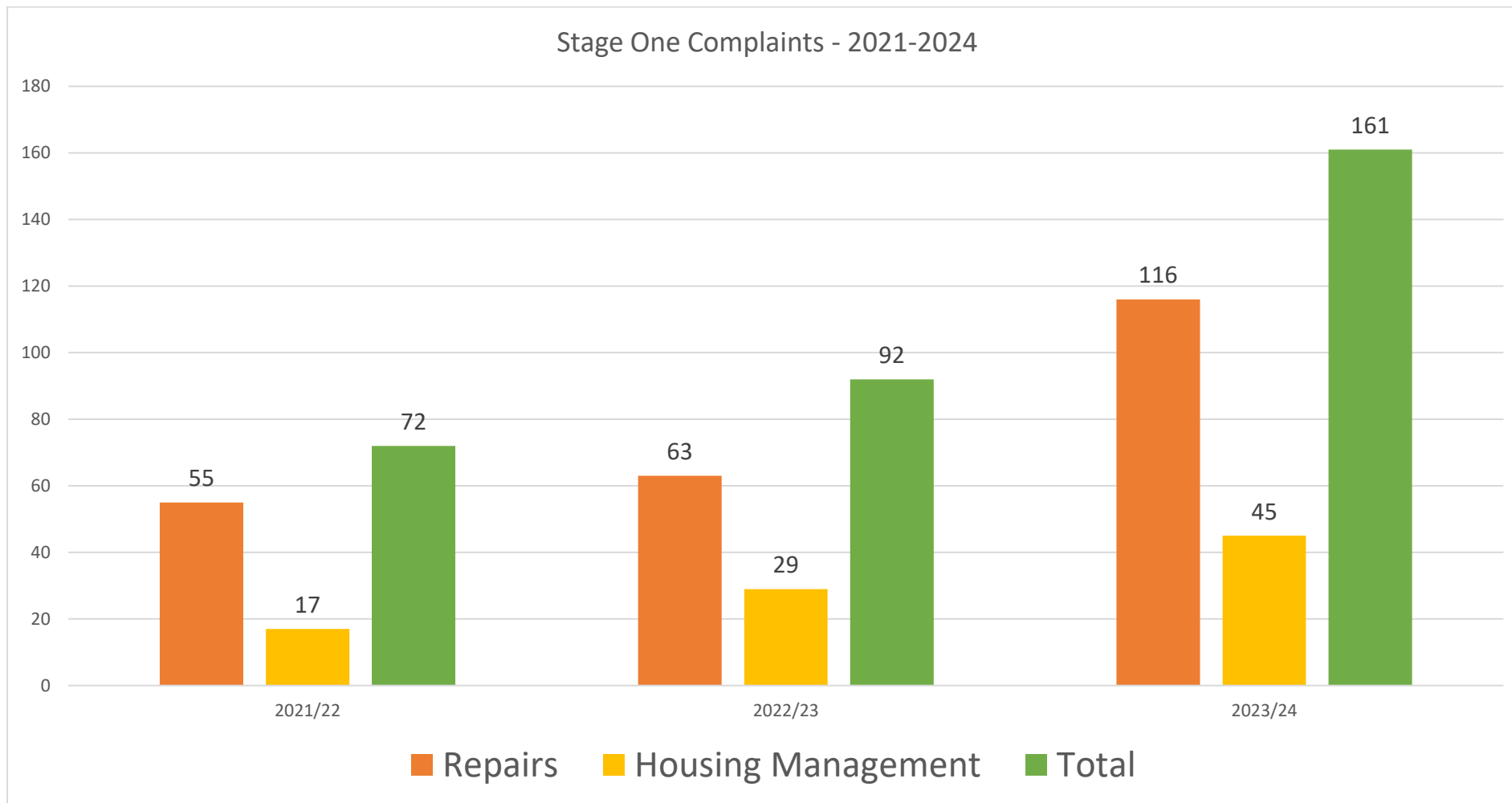
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**Total Complaints: 2021/22, 2022/23 & 2023/24**



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**City of London Corporation**  
**Department of Community & Children's Services**  
**Housing Service**

## **Housing Complaints Policy**

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<b>Approved by:</b>	<i>Housing Management &amp; Almshouses Sub-Committee</i>
<b>Original Approval Date:</b>	<i>May 2017 (v.1), May 2019 (v.2)</i>
<b>Review Date:</b>	<i>September 2021 (this version – v.3)</i>
<b>Re-Approval Date:</b>	<i>20/09/2021</i>
<b>Next Review Date:</b>	<i>September 2024</i>

## **1. Purpose and scope**

1.1 We have this policy because we want our residents and service users to know about our approach to complaints. We aim to provide good quality services but sometimes we get it wrong. When this happens, we want to make it as easy as possible for residents to tell us and know that we will respond positively, quickly and fairly.

1.2 This policy applies to:

- City of London tenants, leaseholders and freeholders who receive services from the Housing Service
- Those affected by the City of London Housing Service
- Those applying for services delivered by the City of London Housing Service

## **2. Policy aims and objectives**

2.1 Our priority is to put things right when they go wrong. To help us do this, we aim to deliver an excellent complaint handling service that puts the complainant at the heart of what we do and gives them the chance to express their point of view and the outcome they are seeking.

2.2 A key objective of this policy is to help us better understand the resident experience. We will use this insight as an opportunity to learn and continually improve our services.

## **3. Definitions**

3.1 We have adopted the following definition of a complaint from the Housing Ombudsman's Complaints Handling Code:

*A complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.*

3.2 Regardless of the definition that we adopt, if a resident tells us that they are not satisfied with a service we will take steps to resolve the issue as quickly as possible.

## **4. Exclusions**

4.1 We cannot always accept a complaint. Sometimes we will have valid reasons such as the following:

- **Age** – The issue giving rise to the complaint occurred more than 6 months ago, unless it is a recurring problem.
- **Legal action** – A complainant pursues the issue through a legal route. This will not stop us trying to resolve the issue.
- **Previous complaints** – A matter has already been considered and reviewed using the complaints service
- **Not within our control** – Complaints about services, people or bodies over which we have no control.
- **Insurance claims** - A claim for damages or personal injury which will be dealt with as an insurance claim.
- **Alternative appeals or review procedures** – Issues over which there is an alternative redress process.

If we cannot accept a complaint, we will explain the reasons to the complainant.

## 5. **Service standards**

- 5.1 When we provide a complaints service, residents can expect the following from us:

- To be provided with information about our complaints service in a variety of formats
- If we do not accept a complaint, we will explain the reasons why
- Use plain language and make clear the outcome of the complaint
- Acknowledge a complaint within 2 working days
- Provide a response at Stage 1 of our process within 10 working days
- Provide a response at Stage 2 of our process within 20 working days of the complaint being escalated.
- When we offer a remedy, we will set out what we intend to do and the timescales
- If we decide not to escalate a complaint, we will provide an explanation

## 6. **Legislation and regulation**

- 6.1 This policy will have regard to the following requirements of the Regulator of Social Housing:

Value for Money Standard – We will make the best use of our resources by learning from complaints and minimising mistakes.

Tenant Involvement and Empowerment Standard - We will adopt an approach to complaints that is clear, simple and accessible and ensure that complaints are resolved promptly, politely and fairly.

- 6.2 In July 2020 The Housing Ombudsman published a Complaints Handling Code. In addition, the November 2020 Social Housing White Paper proposed a new charter for social housing which includes an expectation that residents will have their complaints dealt with promptly and fairly. This policy will ensure we comply with the Code and that we are able to meet the expectations of the White Paper and subsequent legislation.

## **7. Our approach to complaints**

### **7.1 Access**

We will make the complaints service accessible to all residents using a range of channels through which residents can make a complaint, including our website and any official social media platforms. We will comply with our Equality Act duty and tailor our service to meet an individual's needs, making whatever adjustments are required.

We will accept complaints made by a resident's representative and fully engage with representative when we handle the complaint. We will also encourage and signpost residents to advice and advocacy services as appropriate.

We will ensure that all staff understand the difference between a service request and a complaint and are aware that complaints can be received verbally.

### **7.2 Awareness**

We will raise awareness of our complaints service. We will use our website, newsletters and leaflets to ensure residents know how to complain.

As part of the information that we make available to residents we will include contact information for the Ombudsman. We will explain the role of the Ombudsman and ensure residents are aware that they can contact the service at any point for help and advice throughout their complaint.

### 7.3 Complaints handling

We want to make complaint handling a resident friendly experience. Our Housing Complaints Team will take responsibility for a complaint and work with colleagues to find a speedy resolution. Complaints will be acknowledged and recorded, and early contact made to ensure we understand the issues and the outcome the resident is seeking.

Our priority will be to resolve the complaint at the earliest opportunity. We will ask residents to allow us the opportunity to find a speedy resolution. Where the complaint requires formal consideration, we have a two-stage process.

The first stage will be a full and fair investigation. The investigation will be carried out by a senior manager who will be impartial and seek the information they need to find an outcome that would resolve the matter for the resident.

When it is not possible to find a resolution, we have a second stage in our process that allows residents to request a review of their complaint. The review will give residents the opportunity to challenge the earlier decision.

We will not unreasonably refuse to escalate a complaint to the next stage. If we refuse to allow escalation, we will explain the reasons for our decision.

When a resident is not satisfied with our response, we will ensure that are aware of how to contact the Housing Ombudsman. We will fully co-operate with the Ombudsman and continue to look to resolve the complaint.

### 7.4 Communication

We will make information about our complaints service available in clear and accessible formats. All our communications will use plain language. When we respond to complaints, we will make the outcome clear and explain the reasons for any decision made. We will keep residents regularly updated using methods of communication agreed with the resident.

Where a resident's expectation is unrealistic or unreasonable, we will explain this to the resident. If we consider that it may help to resolve a complaint, we seek the complainant's permission to engage with professional mediators as an alternative means of finding an effective resolution.

We will report back to our involved residents on our performance and ensure that information is regularly provided to all residents on how well we are delivering

our complaints service and improvements that have come about as a result of complaints.

### **7.5 Putting things right**

We know that for most complainants when we have failed to provide a service the priority is to put things right. We will apologise and set out the actions we will take to resolve the complaint. Any remedy that is offered by us will reflect the extent of the service failure and the impact on the resident. When needed we will exercise appropriate discretion to find a remedy.

We recognise that finding a remedy may not in itself repair our relationship with our resident. In order to build confidence, we may at times engage the services of an independent third party to investigate or review a complaint.

### **7.6 Learning and improvement**

We will ensure that we learn from complaints to keep improving. We will look beyond individual complaints to identify where our processes or policies need to change. We will ensure that this approach is part of our service planning framework and informs staff training.

### **7.7 Unacceptable complainant behaviour**

If a complainant behaves unreasonably at any stage of the complaints process, we will apply our policy on unreasonable behaviour. Unacceptable or unreasonable behaviour could include:

- making numerous complaints about minor matters or matters which staff cannot change, which take up an unreasonable amount of staff time
- contacting multiple officers to complain about the same issue
- being abusive or offensive to staff or using inappropriate language
- making unfounded or unsupported complaints that may be malicious in nature.

If we consider a complainant to be unreasonable, we may close an existing complaint down or limit the means by which the resident can communicate with us. Once a decision has been made, we will inform the complainant and explain the reasons for our decision.



## **8. Responsibilities, monitoring and performance**

- 8.1 Overall responsibility for this policy and its implementation rests with the Head of Housing Management. The Head of Housing Management will ensure that staff receive the appropriate training and support to achieve the aims of this policy. Where needed we may establish appropriate operational procedures.
- 8.2 Monitoring of the implementation of this policy and our performance in handling complaints will be the responsibility of the Housing Management and Almshouses Sub-Committee. We will provide complaints performance information to this Committee twice per year. Performance on complaints will also be included in our Annual Report for Tenants. We will carry out regular self-assessments against the Complaints Handling Code and ensure that our performance measures drive improvements.

## **9. Associated policies**

- Compensation Policy
- Vexatious Complaints Policy (DCCS)

**10. Document Management**

Policy title	Housing Complaints Policy
Date created	September 2021 (v.3)
Policy owner	Head of Housing Management
Authorised by	Housing Management and Almhouses Sub-Committee
Date authorised	20 September 2021
Review period	3 years
Date of next review	September 2024

<b>Consultation and assessment</b>	
Resident consultation	Housing User Board (HUB), September 2021
Data Protection Impact Assessment	Not required. Minimal risk of data breaches. Use of personal data covered by Privacy Notice.

<b>Document review history</b>			
<b>Version</b>	<b>Date amended</b>	<b>Date approved</b>	<b>Key changes</b>
1.0		May 2017	New policy
2.0		May 2019	Re-approval only
3.0	Sept. 2021	20/09/2021	Stage three removed to comply with Ombudsman's Complaints Handling Code  Stage Two timescale extended to 20 working days



**City of London Corporation**  
**Department of Community & Children's Services**  
**Housing Service**

**Compensation Policy**

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<b>Approved by:</b>	<i>Housing Management &amp; Almshouses Sub-Committee</i>
<b>Original Approval Date:</b>	<i>September 2016</i>
<b>Review Date:</b>	<i>April 2020</i>
<b>Re-Approval Date</b>	<i>30/09/2020 (v.2 – this version)</i>
<b>Next Review Date</b>	<i>30/09/2023</i>

## **1. Introduction**

Compensation is often requested as a resolution to complaints, or in response to damage to goods caused by the alleged negligence of City of London employees or agents. This policy outlines our approach to dealing with requests for compensation from our residents.

## **2. Aims of this Policy**

The aims of this policy are:

- To provide a framework for the compensation that may be due to a customer where we fail to meet our own service standards, or provide a poor service, and a customer suffers a material loss because of this failure.
- To assist staff in balancing the needs of the individual with a recognition that all compensation paid by the Department of Community and Children's Services will be funded from the Housing Revenue Account.

## **3. Scope**

The policy applies to residents living on City of London Housing Service estates which are managed as part of the Housing Revenue Account (HRA), namely:

- tenants (including sub-tenants of leaseholders)
- leaseholders
- freeholders
- occupiers of City of London and Gresham Almshouses properties

In exceptional circumstances, this policy may apply to non-residents, subject to the Assistant Directors' discretion.

## **4. Policy Statement**

Paying financial compensation, or compensation in kind, is an exceptional course of action and will only be considered if other outcomes are not deemed appropriate. In most cases it is reasonable to resolve complaints by:

- Apologising for the failure
- Providing the service asked for
- Changing the service provision or procedures for future use where a complaint has highlighted that a change is required
- Reconsidering a decision which may have been unreasonable or unfair

In exceptional circumstances, where the situation cannot be rectified by apology or practical action, compensation may be appropriate. The types of service failures that may trigger compensation, whether caused by City of London staff, or contractors or agents acting on our behalf, are as follows:

- Failing to deliver /provide a specified benefit, service or other entitlement
- Loss of amenities
- Loss of, or damage to, personal property
- Where a customer has incurred an expense as a result of our failure to provide a service

Compensation will only be considered where a service failing, or a consequence of action or inaction on our part, has caused material loss or harm to the resident and compensation would offer an appropriate form of remedy.

## **5. Compensation for Loss of/Damage to Goods**

This policy is not intended to cover situations where an insurance claim is a more appropriate solution. If a resident believes that they have suffered loss or damage to goods and this was due to the negligence of the City's staff, agents or contractors, an insurance claim will normally be the most appropriate course of action (whether on their own policy or a relevant policy held by the Housing Service).

Please see the Insurance Cover and Claims Policy for more information.

## **6. What is compensation?**

Compensation is taken to mean something, typically money, which is given to someone in recognition of loss, suffering or injury.

Compensation may take three forms:

- Direct replacement of items or payment to the value of those items.
- A goodwill gesture such as flowers or vouchers
- Financial recompense for actual loss or in recognition of the significant distress and inconvenience caused

## **7. When may compensation be considered?**

Compensation may be considered at any stage in our complaints process – our complaints policy promotes resolution of the situation as rapidly as possible.

The event giving rise to the consideration of compensation should have occurred within the last six months. Compensation in respect of an event that happened more than six months previously will only be considered in exceptional circumstances. An exception may be made if there has been continuous contact with the resident or delays in bringing the matter to a conclusion have been as a result of actions (or inaction) by those working for the City.

## **8. Factors that will be taken into consideration**

Compensation is discretionary. Each case is different and will be considered on its own merits. Staff may discuss the situation with the resident, and their views as to what would be an acceptable remedy will be considered.

The following will be taken into consideration when considering making a compensation payment:

- **Money not paid**

Where money due to the resident has not been paid, the City will pay the money due

- **Quantifiable Costs**

Where the resident can evidence incurred costs which would not have been necessary but for the service failure, reimbursement of those costs may be appropriate. The exception to this is where the resident incurs costs unreasonably.

- **Loss of a non-monetary benefit**

The resident may have been deprived of a non-monetary benefit, such as a service or amenity which under normal circumstances they would have received. An attempt should be made to quantify the loss of such benefits, to determine the amount of compensation due. It may be possible to base this on what it would have cost the City of London Corporation to make the appropriate provision for the relevant period or what value may be put on the facility.

- **Loss of value**

Where something owned by the resident has lost value as a result of the department's actions, an objective assessment of the loss may be possible. The matter may be referred for assessment where appropriate by an independent valuer.

- **Maladministration**

Maladministration is usually considered to be a fault with the way something has been done or not done, rather than the decision or outcome. It may occur where an organisation has failed to act reasonably in accordance with the law, its own policies and generally accepted standards.

- **Distress and Inconvenience**

In exceptional circumstances, compensation may be considered for distress or inconvenience. All the relevant circumstances will be considered, including the severity of the inconvenience, the length of time involved, and the number of people affected.

It is important to note that severe inconvenience may be caused over long periods of time without fault – for example where the City is engaged in legitimate and timely repairs. In such instances, this does not warrant compensation if the City has managed the problem in a fair and proper way, for example, in accordance with our policies and procedures.

## **10. Offer of Compensation**

Offers of compensation will be made in writing and expressed to be *'in full and final settlement'* of the matter.

## **11. Offsetting Compensation**

Any offers of financial compensation will be offset against arrears of rent, service charges or any other debts owed to the City of London Corporation Housing Service.

## **13. Policy Variations**

In exceptional circumstances, we may consider making a variation to this policy. Our reasoning can be provided to the affected parties on request.

## **14. Monitoring and Performance**

We will monitor our use of this policy and the way in which it is implemented, ensuring that any relevant information is reported at appropriate intervals.

## **15. Training**

We will provide all staff responsible for implementing this policy with comprehensive training as required.

## **16. Equality and Diversity**

This Policy has been subject to a full Equalities Analysis and will be implemented in accordance with our responsibilities and duties under relevant legislation, including the Equalities Act 2010.

## **17. Accessibility**

We will ensure that tenants' needs are considered when implementing this Policy to ensure that they are treated fairly. We will make appropriate arrangements to ensure that customers with distinct communication needs are not unreasonably and disproportionately affected. This could involve providing communications in alternative languages or formats, or providing interpretation or transcription as appropriate.

## **18. Data Protection and Information Exchange**

We will comply with our obligations under relevant data protection legislation and regulations. We will process and store personal information securely.

There are some circumstances in which we are required by law to disclose information given to us.

## **19. Policy Review**

We will review this policy at least every three years, or following relevant changes to legislation, regulation or policy.

## **20. Legislation**

- Secure Tenants of Local Authorities (Right to Repair) Regulation 1994

## **21. Related documents**

- Complaints Policy
- Insurance Cover and Claims Policy
- Disposal of Personal Property Policy
- Tenants' Agreement and Handbook



<p>Department of Community &amp; Children’s Services</p> <p>Housing Service</p>	
<p>Policy Title: Compensation Policy</p>	
<p>Document Owner: Head of Housing Management</p>	
<p>Date Approved:</p> <ul style="list-style-type: none"> <li>• September 2016 (original)</li> <li>• 30/09/2020 (version 2)</li> </ul>	
<p>Version: 2</p>	<p>Last amendment: September 2020</p>
<p>Effective date: 30/09/2020</p>	<p>Next review date: 30/09/2023</p>
<p>Changes in this version:</p> <ul style="list-style-type: none"> <li>• Formatting</li> </ul>	

## **Appendix 1: Examples of Compensation Amounts**

All service failures and requests for compensation are different and will be considered on their own merits in accordance with our policies, including the Compensation Policy.

The information provided below is to help officers to assess how much compensation may be due in different types of circumstance, and to provide a benchmark to ensure compensation for similar types of service failure is considered fairly.

The City is under no obligation to pay the compensation amounts outlined in this policy.

### **1. Distress and Inconvenience**

We are aware that for any person to have had cause to make a complaint, they will have suffered some inconvenience or distress. In exceptional circumstances, or cases where disproportionate levels of distress and inconvenience have been caused, it may be appropriate to provide a goodwill gesture such as flowers or gift vouchers up to the value of £50. It may be appropriate to talk to the resident about what they would appreciate.

### **2. Missed Appointment – failure of contractor to attend appointment**

If one appointment is missed, no compensation is due.

If more than one appointment is missed, or a second appointment is required because the contractor attended the first appointment but was unprepared, the value of £25 per missed appointment may be appropriate. The officer considering the complaint may add a further amount of up to £50 if there are other relevant factors, for example if the customer has suffered a high level of distress and inconvenience. More compensation may be offered at the discretion of the Head of Service or Assistant Director.

### **3. Failure to set up direct debit details correctly leading to rent arrears**

If the City of London Corporation fail to set up a direct debit arrangement correctly, a tenant's account will go into rent arrears. Whilst the responsibility to pay rent lies with the tenant, where they think the arrangement is in place they may not check. Should a

resident receive correspondence regarding rent arrears, the department will explain and resolve the situation.

Should there be a repeated failure, crediting some of the rent owed would be appropriate, linked to the amount of time that the failure had occurred. For example, if the direct debit had taken more than 6 months to resolve, the credit of an amount equivalent to 2 week's rent in recognition of the service failure, the distress and the inconvenience may be appropriate.

#### **4. Failure to administrate steps in the Right to Buy process within published timescales**

If the City of London Corporation fail to meet these timescales, and there is no negative impact on the sale, then no compensation would be due.

If we fail to meet these timescales and a negative impact is caused, then the City should look at the impact and determine what compensation may be due. For example, if a mortgage that had been arranged is no longer available to the resident, we should recompense any fees charged for that mortgage arrangement.

#### **5. Failure to place a bid on Choice Based Lettings on behalf of a person**

If the City of London Corporation had agreed to place bids on appropriate properties on behalf of an applicant, and on a particular property we failed to do so, if the data shows that the applicant would not have won the bid, there is no negative impact and no compensation is due.

However, if the applicant would have had sufficient priority to win the bid and be offered first choice on the property, the service failure is more serious. In addition to an apology and an explanation, compensation or a goodwill gesture of up to £50 may be appropriate. It may be appropriate to talk to the resident about what they would appreciate.

#### **Further Information**

There are examples of case studies, the findings made by the Ombudsman and the levels of compensation paid on the Housing Ombudsman website:

<http://www.housing-ombudsman.org.uk/learning-faqs/case-studies/>

## **Appendix 2 – Right to Repair**

This document provides a summary of The Secure Tenants of Local Authorities (Right to Repair) Regulation 1994.

The Right to Repair is a statutory compensation scheme. Therefore the process and amounts are not subject to discretion. The scheme only applies to 'qualifying repairs' including insecure windows and doors, unsafe power sockets or electrical fittings, leaking roofs and broken entry phone systems.

A repair only qualifies if the City of London Housing Service is responsible for it and it is estimated to cost less than £250.

If a resident claims a repair should be subject to the scheme, we may inspect it before we decide. We must write to the resident to confirm if the scheme does not apply.

When a resident reports a qualifying repair, and we have confirmed it qualifies, we must issue a repair notice to a contractor and send the resident a copy with information on how the right to repair scheme works. The time limit for the contractor to do the work will be set by our established timescales for completing that type of repair.

If the repair work is not done within that specified time limit, the resident must bring that to our attention and request another contractor to do the work. We must then issue a repair notice to a second contractor, subject to procurement restrictions, and send the resident a copy.

If the second contractor does not do the repair work within the policy timescales, the resident must be paid £10 in compensation. For every extra day the repair is not done, the resident must be paid another £2. The most compensation that must be paid for any one repair job is £50.

If the resident is not at home to let the contractor in as arranged, the scheme no longer applies.

The compensation may be used to reduce rent arrears if there are any.

<b>Committee:</b> Housing Management and Almshouses Sub-Committee	<b>Dated:</b> 17/04/2024
<b>Subject:</b> Housing Compliance Policies	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	1,2,3,5,6,9,11,12
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>£</b>
<b>What is the source of Funding?</b>	
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>N/A</b>
<b>Report of:</b> Judith Finlay, Executive Director of Community & Children's Services	<b>For Decision</b>
<b>Report author:</b> Zoe Gayle, Service Improvement Manager, Department of Community and Children's Services, Housing Division	

## Summary

The regulatory environment is continually evolving, with new laws, regulations, and compliance requirements emerging regularly. As a housing provider we must stay abreast of these changes and implement and adapt policies accordingly to remain compliant.

We are committed to delivering excellent and safe services for residents, employees, contractors, and other persons who may work on, occupy, visit, or use its premises. To support this, we have drafted policies covering compliance with our obligations in relation to asbestos management, water hygiene, electrical safety and lift safety.

The policies outline legal requirements and our approach to identifying, managing and/or mitigating risks in these areas.

## Recommendations

Members are asked to:

- Approve the Asbestos Management Policy for use by the Housing Division
- Approve the Electrical Safety Policy for use by the Housing Division
- Approve the Lift Safety Policy for use by the Housing Division
- Approve the Water Safety Policy for use by the Housing Division

## **Main Report**

### **Background**

1. The City Corporation is the landlord for 1,900 social tenanted properties and over 950 leasehold properties, on twelve estates across London.
2. We are required to ensure compliance with the regulatory framework and Home Standard for social housing in England, which is monitored by the Regulator of Social Housing. The Home Standard required outcomes are:

#### *1.1 Quality of accommodation*

Registered providers shall:

- (a) ensure that tenants' homes meet the standard set out in section five of the Government's Decent Homes Guidance and continue to maintain their homes to at least this standard
- (b) meet the standards of design and quality that applied when the home was built, and were required as a condition of publicly funded financial assistance if these standards are higher than the Decent Homes Standard
- (c) in agreeing a local offer, ensure that it is set at a level not less than these standards and have regard to section six of the Government's Decent Homes Guidance.

#### *1.2 Repairs and maintenance*

Registered providers shall:

- (a) provide a cost-effective repairs and maintenance service to homes and communal areas that responds to the needs of, and offers choices to, tenants, and has the objective of completing repairs and improvements right first time
  - (b) meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes
3. Draft policies have been produced for Members' consideration which are meant to outline how we meet legal requirements and regulations, and provide a safe environment for residents, employees and visitors who live, work at, or visit our estates.
  4. The policies aim to ensure that all employees understand and adhere to the highest standards of conduct and regulatory compliance. In addition to outlining the expected standards, the policies also outline roles and responsibilities, record keeping, performance reporting and the mechanisms for reporting any concerns related to compliance issues.

### **Current Position**

5. In response to the recommendations in the Pennington Choices report completed as part of a review of our housing management activity, the Housing Division is working to improve the services delivered to residents. There will be further

developments to promote the customer first culture and ensure there is capacity and capability to improve service delivery. Recommendations being implemented include, but are not limited to:

- Review of all policy documents and introduction of new approaches and changes
  - Review and development of Key performance indicator (KPI) measures for all services
  - Review of job roles and descriptions, and clarification of ownership and accountability in key areas
  - Introduction of a Housing Compliance Manager role
6. The regulatory environment is continually evolving, with new laws, regulations, and compliance requirements emerging regularly. As a housing provider we must stay abreast of these changes, implement and adapt policies accordingly to remain compliant. Work has been carried out to identify key services and ensure they're covered by policies and any policy gaps. To ensure an excellent service and ongoing compliance, amongst others, the following policies were identified as being required:
- Asbestos Management
  - Electrical Safety
  - Lift Safety
  - Water Hygiene
7. The Housing Division employs external contractors to carry out most compliance related activities. These include routine inspections and maintenance and recording and reporting of data. Employees and external contractors are to adhere to legal guidelines and procedures. The implementation of the policies clarifies the clear and responsible approach we take to ensure homes and communal areas are safe.
8. Property Services, within the Housing Division, is undertaking recruitment with some roles being responsible for compliance related activity. The policies will provide clear accountability of duties and responsibilities to ensure a smooth transition of duties and promote ongoing compliance to ensure the safety of residents, employees and other service users.
9. Key performance indicators (KPIs) have been established and are maintained to ensure we are able to report on performance in relation to compliance safety. KPI measures are produced and provided to Senior Management monthly and will be included in the Committee reporting cycle to ensure Members are aware of performance.
10. The Housing Division follows a systematic approach to the management of compliance related activities to ensure it meets the requirements set out by legislation and regulations, these policies outlines procedure that are already in practice.

11. Draft policies have been shared with colleagues and the Housing User Board (HUB), our virtual consultation mechanism. Residents have engaged and provided feedback which has been acknowledged and reflected in the policies where appropriate (please see Appendix 5).

## **Options**

12. The risk of not implementing such policies is a lack of clarity of roles and responsibilities leading to ineffective monitoring, maintenance and reporting therefore presenting the possibility of being non-compliant. The consequence of non-compliance can result in:

- Legal sanctions: non-compliance with regulations can lead to legal sanctions, including fines, penalties, legal action, and regulatory enforcement actions. These can have significant financial implications and damage our reputation.
- Reputational damage: instances of non-compliance can tarnish an organisation's reputation, eroding trust among stakeholders and undermining its value. Rebuilding trust and credibility after reputational damage can be a lengthy and arduous process.
- Financial losses: non-compliance can result in financial losses stemming from fines, legal fees and remediation costs. These losses can have a detrimental impact on the organisation's bottom line and long-term viability.
- Operational disruptions: regulatory non-compliance can disrupt business operations, leading to delays, interruptions, and inefficiencies. This can impede productivity and damage relationships with our customers and suppliers.

13. On approval, the policies will be made readily accessible to all employees through SharePoint and uploaded to the public website for residents and service users ensuring easy reference whenever needed. All contractors performing compliance related activities will also be issued a copy of the relevant policy.

14. These policies will also be used to support procurement processes, for instance the one due to take place for the HRA responsive repairs contract beginning in 2025.

## **Proposals**

15. It is therefore proposed that the policies are approved to:

- provide an overview of the legal and regulatory framework governing social housing identifying relevant laws, regulations, and standards that must be adhered to by the City Corporation and relevant contractors
- outline the roles and responsibilities, establishing mechanisms for co-ordination, communication, compliance and escalation
- help navigate any complexities and ensure consistent compliance throughout the supply chain



- establish the standards for the maintenance of social housing properties to ensure they are safe, habitable, and sustainable over the long term, including provisions for regular inspections, maintenance schedules, contingency plans and response procedures for emergencies
- describe the mechanisms for monitoring compliance with policies, including regular audits, inspections, and reporting requirements.

## **Corporate & Strategic Implications**

**Strategic implications** – This proposal aligns with key objectives in the Corporate Plan for 2024-29 where there is a commitment to ensure people receive good services, live in good quality homes, and can live independent and healthy lives.

### **Financial implications**

None

### **Resource implications**

None

### **Legal implications**

None

### **Risk implications**

None

### **Equalities implications**

None

### **Climate implications**

None

### **Security implications**

None

## **Conclusion**

16. These policies demonstrate our commitment to upholding the highest standards of compliance and accountability in the performance and administration of safety related activity. By implementing and adhering to these policies, we aim to achieve our mission of providing excellent and safe housing and services for residents, employees, contractors, and other persons who may work on, occupy, visit, or use our premises.

17. These policies will not only mitigate the risk of legal and reputational harm but also foster a culture of integrity and accountability within the Housing Division.

## **Appendices**

- Appendix 1 - Asbestos Management Policy
- Appendix 2 - Electrical Safety Policy

- Appendix 3 - Lift Safety Policy
- Appendix 4 - Water Safety Policy
- Appendix 5 – Consultation responses

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**City of London Corporation**  
**Department of Community & Children's Services**  
**Housing Division**

## **ASBESTOS MANAGEMENT POLICY**

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<b>Approved by:</b>	<b><i>Housing Management &amp; Almshouses Sub-Committee</i></b>
<b>Original Approval Date:</b>	
<b>Review Date:</b>	
<b>Re-Approval Date</b>	-
<b>Next Review Date</b>	<b><i>**3 years from re-approval**</i></b>

## 1. Purpose

This policy sets out our approach to managing risks associated with asbestos and asbestos-containing materials in buildings owned or managed by us. This includes residential premises, communal areas in residential buildings and on wider estates, and other premises such as community rooms.

## 2. Scope

This policy applies to:

- Properties owned or managed as part of the Housing Revenue Account (HRA), including communal facilities such as car parks, commercial premises, and community rooms
- Properties managed on behalf of the City of London Almshouses Trust and the Gresham Almshouses Trust
- The Barbican residential estate and associated communal facilities

## 3. Aims of this Policy

The Asbestos Management Policy details how the Housing Division fully complies with the Control of Asbestos Regulations (CAR) 2012. In addition to the policy, we have an Asbestos Management Plan that documents the controls in managing asbestos safely and an Asbestos Register which holds records of the assets with Asbestos Containing Material (ACMs).

The Housing Division recognises that the main hazard in relation to asbestos is the non-identification of asbestos and the presence of ACMs and as such will protect those potentially exposed to asbestos as far as is practical by minimising the exposure using appropriate control measures and working methods. The Housing Division accepts that asbestos is likely to be present in many of its properties built prior to the year 2000 and will therefore manage these properties accordingly.

The Housing Division will follow a systematic approach to the management of asbestos to ensure it meets the requirements set out in the Control of Asbestos Regulations 2012 and other relevant legislation. This is to ensure the safety of employees, tenants, contractors and other persons and stakeholders. This policy will be used to formulate the Housing Division Asbestos Management Plan (AMP)

## 4. Definitions

**Asbestos** - Asbestos is the general term used for naturally occurring fibrous minerals that have crystallised to form fibres. Asbestos fibres do not dissolve in water or evaporate, they are resistant to heat, fire, chemical and biological degradation and are mechanically strong. The main types of asbestos commonly used in construction prior to 1990 are:

- crocidolite (commonly known as blue asbestos)
- amosite (commonly known as brown asbestos)
- chrysotile (commonly known as white asbestos)

**Asbestos Containing Material (ACM)** - Refers to any material containing asbestos.

**Licensed contractors** - The HSE only allows certain works on ACM to be carried out by contractors. Contractors will only be issued with a 'licence' if they can demonstrate that have the necessary skills, competency, expertise, knowledge, and experience of work with asbestos, together with excellent health and safety management systems.

**Management survey** – A survey to locate as far as is practical the presence and extent of asbestos containing materials in a property which could be damaged or disturbed by normal occupancy and to assess their condition. This is the principal survey used to populate the asbestos register.

**Refurbishment and Demolition surveys** – A more detailed survey required before any work is carried out and asbestos materials are likely to be disturbed as part of a refurbishment or demolition project.

**Re-inspection surveys** – A re-inspection of management surveys and are used to monitor the condition of any identified asbestos containing materials.

## **5. Regulator for Social Housing – Regulatory Standards**

The Safety and Quality Standard is applicable to this area of practice.

We will ensure that we meet all our legal responsibilities under the relevant and current compliance legislation for the health and safety of occupants in their homes.

## **6. Policy Approach**

City of London Housing Division will manage – as far as reasonably practicable – all asbestos containing materials (ACM) falling under its control in such a manner as to minimise the risk of any person being exposed to asbestos fibres. We will aim to achieve this policy by:

- identifying ACM within our buildings. Where it is not reasonably practicable to identify ACM, for example ACM that may be in inaccessible areas, then the City of London will presume that asbestos is present and manage accordingly.
- risk assessing each identified ACM considering the likelihood, and the number of people that might be exposed, in the event of an uncontrolled release of asbestos fibres
- implementing appropriate control measures to reduce the risk of exposure of people to asbestos fibres from each ACM. The following general principles will be applied:
  - where ACM is assessed as being in good condition then this will generally be left in situ and managed
  - where ACM is assessed as posing a risk to health it will be, as far as is reasonably practicable, removed or encapsulated

- where removal or encapsulation are not reasonably practicable then access to the ACM will be managed to reduce the risk of exposure to as low as is reasonably practicable
  - implementing a system of monitoring of each remaining ACM at intervals determined by the risk assessment
- carrying out a Refurbishment and Demolition (R&D) survey as an integral part of the planning process for any refurbishment or demolition works carried out in City of London owned, managed, or occupied premises
  - planning, managing, delivering, and monitoring all work that could result in the release of asbestos fibres. In the case of works that involve the removal or encapsulation or other activities that will lead to the release of asbestos fibres, regardless of asbestos type, these will only be carried out by organisations licensed to carry out such works by the Health and Safety Executive (HSE)
  - devising and implementing emergency procedures to reduce the risk of exposure of people as low as is reasonably practicable in the event of an unplanned and/or uncontrolled release of asbestos fibres
  - providing suitable and sufficient information, instruction, training and supervision to employees and contractors to reduce the risk of uncontrolled release of asbestos fibres as low as is reasonably practicable
  - review this policy and any associated procedures at regular intervals, or following any uncontrolled release of asbestos fibres, to ensure that it is working efficiently and effectively

## **7. Duties of Employers and Landlords**

To comply with the Control of Asbestos Regulations (CAR) 2012 and other relevant legislation relating to asbestos the Housing Division will:

- Appoint competent and qualified Responsible Person(s) to coordinate the management of asbestos.
- Take reasonable steps to find materials likely to contain asbestos.
- Presume materials contain asbestos, unless there is strong evidence to support that the material is not ACM.
- Assess the risk of likelihood of anyone being exposed to asbestos from these materials.
- Make a written record of the location and condition of ACMs and presumed ACMs and keep it up to date.
- Repair or remove any material that contains or is presumed to contain asbestos, if necessary, because of the likelihood of disturbance or its location or condition.
- Prepare a plan that manages the risk and put into effect to ensure that Information on the location and condition of ACMs is given to people who may disturb them and any material known or presumed to contain asbestos is kept in a good state of repair;

- Monitor the condition of ACMs and presumed ACMs; and
- Review and monitor the management plan and the arrangements made to put it in place.

## **8. Responsible Persons**

Full details of individual responsibilities are identified in the Asbestos Management Plan.

Duty Holder – Chief Executive of City of London

Appointed Person(s) – Assistant Director of Housing and Property Services and Assistant Director of Barbican

Responsible Person – Housing Compliance Manager

## **9. The Asbestos Management Plan**

The Asbestos Management Plan should be read in conjunction with the Asbestos Policy. The plan details the measures that are in place to identify, manage and/or mitigate risks associated with asbestos.

The Asbestos Management Plan is relevant for maintaining a safe environment for all tenants, employee, and contractors. It is designed to be a 'live document' that is to be regularly reviewed, amended, and updated as changes happen within the organisation and its operating processes.

The Asbestos Policy and Asbestos Management Plan will assist The Housing Division in ensuring compliance with asbestos in accordance with the Control of Asbestos Regulations (CAR) 2012.

## **10. Asbestos Register**

The Housing Division holds information on ACMs on the Asbestos Register. This register has been developed and holds surveyed data on approximately 60% of our properties as of January 2024. The asbestos register is held in SharePoint and transferred to the Civica Housing Management System.

## **11. Responsive, Void and Planned Maintenance Works**

### ***Non-Domestic Properties (communal)***

The Housing Division will review existing asbestos management survey information prior to carrying out any responsive, void, or planned maintenance works which may involve working on or adjacent to any ACMs within a non-domestic (communal) property. This is to ensure that any ACMs likely to pose a risk are identified prior to works commencing and the details passed onto the relevant in-house operatives or external contractors and managed in an appropriate way.

The Housing Division will ensure that all non-domestic (communal) properties in ownership or management have an asbestos management survey and will be re-

inspected annually or at a period dictated by the previous survey/re-inspection. Re-inspection dates may change following the re-categorisation of a property or a building.

### ***Domestic Properties***

The Housing Division will review the asbestos register and any existing asbestos survey information prior to carrying out any responsive, void, or planned maintenance works which may involve working on or adjacent to any ACMs within a domestic property. This is to ensure that any ACMs likely to pose a risk are identified prior to works commencing and are managed and dealt with appropriately. Where intrusive works is to be undertaken a Refurbishment and Demolition survey (R&D) will be undertaken.

Where there is no record of asbestos related information for a domestic property, a survey will be undertaken ahead of any works taking place should the contractor work within proximity of potential ACM.

### ***Refurbishment Work***

The Housing Division will carry out Refurbishment and Demolition survey prior to any refurbishment or demolition work. If the refurbishment works are restricted to small areas e.g. kitchen or bathroom replacement, then a localised survey of the areas likely to be affected may be completed and not the entire building.

## **12. Asbestos Remedial Work**

The Housing Division will ensure there is a robust process in place for the management of any follow-up works required following the completion of an asbestos management survey.

The Housing Division will ensure that following asbestos surveys, any asbestos containing materials that are found to be in a poor condition or that are likely to be regularly/easily damaged or disturbed through the normal use of a dwelling will be repaired, protected, or removed at the earliest opportunity.

Where there is any doubt as to the composition of the material uncovered, a sample will be taken and analysed to facilitate the instruction of remedial works where required.

Where asbestos is positively identified and because of a risk assessment removal, sealing or encapsulation is recommended, this will be carried out for:

- **Non-licensed works** – as defined in regulation 2 of the CAR 2012 – by specifically trained contractors with appropriate equipment and working procedures in place which are sufficient to comply with the CAR 2012.
- **Notifiable non-licensed works** – as defined in regulation 2 of the CAR 2012 – by a licensed asbestos removal contractor (LARC) licensed by the Health & Safety Executive in compliance with the CAR 2012
- **Licensed works** - as defined in regulation 2 of the CAR 2012 – by a licensed asbestos removal contractor (LARC), licensed by the Health & Safety Executive in compliance with the CAR 2012.



Where an asbestos containing material has been removed in whole or in part, it will be replaced with a material that has no asbestos content and fulfils the equivalent function of the original asbestos material, e.g. for fire protection.

### **13. Asbestos Information**

The Housing Division considers good communication essential in the safe delivery of asbestos management and will therefore ensure that information about asbestos containing materials (known or suspected) is provided to every person liable to disturb it.

The Housing Division will ensure all employees and contractors have adequate asbestos survey information to enable them to manage and/or work safely with asbestos.

The Housing Division will provide advice to customers regarding asbestos containing materials through leaflets and information on our website.

### **14. Record Keeping**

The Housing Division has an established and maintained Asbestos Register which details every non-domestic (communal) and domestic property.

The Asbestos Register is used to record the details of all asbestos surveys undertaken on The Housing Division properties. This will include the date of the inspection, the findings from the survey, any remediation works identified and subsequently completed. The register will also record the date of any subsequent re-inspection.

### **15. Non-Compliance / Escalation Process**

Any non-compliance issue identified at an operational level will be formally reported to the Compliance Manager in the first instance.

The Compliance Manager will agree an appropriate course of corrective action with the operational team to address the non-compliance issue and report details of the same to the Housing Management Senior Leadership Team, which will consider the implications and act as appropriate.

### **16. Performance Indicators and Reporting**

Key performance indicator (KPI) measures will be established and maintained to ensure City of London is able to report on performance in relation to asbestos management.

KPI measures will be produced and provided to Senior Management on a monthly basis and Committee at an agreed interval. As a minimum, these KPI measures will include reporting on the total number of:

- Blocks requiring asbestos surveys/re-inspection
- No. of blocks with valid asbestos survey/re-inspection
- Proportion of blocks with valid asbestos survey/inspection (%)

- Homes requiring asbestos survey/re-inspection
- Homes with valid asbestos survey/re-inspection
- No. of homes in blocks requiring an AMS or re-inspection
- No. of homes in blocks with valid AMS or re-inspection
- Proportion of properties with valid AMS or re-inspection (%)

## **17. Training**

The Housing Division will ensure that:

- The Responsible Person(s) for asbestos management is trained to a minimum standard of BOHS P405 'The Management of Asbestos in Buildings' Operational Managers, Team Leaders, and Supervisors whose services area has direct contact with asbestos materials will undertake Duty to Manage (Appointed Person) Asbestos Training.
- Employees who have direct, or potentially indirect, contact with asbestos materials will complete Asbestos Awareness Training.
- Competent (UKAS accredited) contractors and surveyors are procured and appointed to undertake asbestos management surveys on its stock. HSE strongly recommends the use of accredited contractors and surveyors (UKAS accredited).
- The Housing Compliance Manager has the responsibility to check the competency of contractors and surveyors on an annual basis.
- Competent licensed asbestos removal contractors (LARC) are procured and appointed for all notifiable non-licensed work or licensed works.
- The Housing Compliance Manager will check the relevant qualifications of employees working for these contractors on an annual basis

## **18. Related documents**

- Housing Strategy
- Housing Asset Management Strategy
- Estate Management Policy
- Repairs & Maintenance Policy
- Health and Safety Policy
- Record Management Policy

## **19. Legislation**

Principal Legislation:

- Control of Asbestos Regulations 2012
- Hazardous Waste (England and Wales) Regulations 2005
- Health and Safety at Work Act 1974
- Landlord and Tenant Act 1985

Guidance and Codes of Practice:

- L143 Managing and working with asbestos (2013)
- HSG 264 Asbestos: The Survey Guide (2012)
- HSG 247 Asbestos: The licensed asbestos contractor's guide (2006)
- HSG 227 A comprehensive guide to managing asbestos in premises

**Additional Legislation:**

- The Management of Health and Safety Regulations 1999
- The Workplace (Health Safety and Welfare) Regulations 1992
- The Housing Act 2004
- The Defective Premises Act 1972
- Construction Design and Management Regulations 2015
- Reporting of Injuries, Disease and Dangerous Occurrences Regulations (RIDDOR) 2013

**20. Equalities**

This Policy has been subject to an equalities test of relevance and will be implemented in accordance with our responsibilities and duties under relevant legislation, including the Equalities Act 2010.


**21. Data Protection**

We will comply with our obligations under relevant data protection legislation and regulations. We will process and store personal information securely. There are some circumstances in which we are required by law to disclose information given to us.

**22. Exceptions**

We may make an exception to the approach outlined in this policy if the circumstances require it and it is reasonable to do so. Our reasoning can be provided to the affected parties on request.

**23. Document management**

<b>Department of Community &amp; Children’s Services</b>  <b>Housing Service</b>	
<b>Policy Title: Asbestos Management</b>	
<b>Document Owner: Head of Repairs and Maintenance</b>	
<b>Date Approved:</b> <ul style="list-style-type: none"><li>• (original)</li></ul>	

<ul style="list-style-type: none"><li>• [DATE] (this version)</li></ul>	
<b>Version:</b>	<b>Last amendment:</b>
<b>Effective date:</b>	<b>Next review date:</b>
<b>Changes:</b> <ul style="list-style-type: none"><li>•</li></ul>	

DRAFT



**City of London Corporation**  
**Department of Community & Children's Services**  
**Housing Division**

## **ELECTRICAL SAFETY POLICY**

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<b>Approved by:</b>	<i>Housing Management &amp; Almshouses Sub-Committee</i>
<b>Original Approval Date:</b>	
<b>Review Date:</b>	
<b>Re-Approval Date</b>	-
<b>Next Review Date</b>	<b>**3 years from re-approval**</b>

## **1. Purpose**

This policy provides an overview of how we will meet legal requirements for electrical safety within tenanted properties and associated premises we manage. This policy provides assurance that measures are in place to ensure compliance with regulations and to identify, manage and/or mitigate risks associated with electrical installations and electrical portable appliances.

We will follow a systematic approach to the management of electrical work to ensure it meets the requirements set out in relevant legislation relating to electrical safety. This is to ensure the safety of residents, employees, and members of the public.

## **2. Scope**

The policy applies to all employees, residents, contractors, and other persons who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services. It should be used by all to ensure they understand the obligations placed upon City of London to maintain a safe environment for residents and employees within the home of each tenant and within all non-domestic (communal) premises or shared areas of buildings.

## **3. Legislation and Regulation**

The application of this policy will ensure compliance with the regulatory framework and consumer standards (Home Standard) for social housing in England, which was introduced by the Regulator of Social Housing (RSH).

The principal legislation applicable to this policy is:

- Landlord and Tenant Act 1985;
- the Electricity at Work Regulations 1989
- Electrical Equipment (Safety) Regulations 2016

Code of Practice – the principal approved codes of practice applicable to this policy are:

- IET Wiring Regulations British Standard 7671: 2018 (18th edition)
- The Code of Practice for In-Service Inspection and Testing of Electrical Equipment (ISITEE) 2012 (4th edition)
- HSE INDG236: 'Maintaining portable electrical equipment in low-risk environments' (as amended 2013)
- Electrical Safety Council: 'Landlords' Guide to Electrical Safety 2009'.
- Code of Practice for the Management of Electro technical Care in Social Housing

This Electrical Safety Policy also operates in the context of the following additional legislation:

- Health and Safety at Work Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Workplace (Health Safety & Welfare) Regulations 1992
- Management of Houses in Multiple Occupation (England) Regulations 2006
- Regulatory Reform (Fire Safety) Order 2005

- The Building Regulations for England and Wales (Part P)
- The Housing Act 2004
- The Occupiers' Liability Act 1984
- Health and Safety (Safety Signs and Signals) Regulations 1996
- Provision and Use of Work Equipment Regulations 1998
- Construction, (Design and Management) Regulations 2015
- Data Protection Act 2018
- RIDDOR 2013

A process is in place to identify changes to regulation and legislation through City of London's compliance reporting framework, any changes relating to this policy will be highlighted and implemented, including a review of policy and procedural documents.

This policy also has links to other policies, including:

- Health and Safety Policy
- Record Management Policy

#### **4. Regulator for Social Housing – Regulatory Standards**

- Home Standard (Quality of Accommodation and Repairs and Maintenance)

The Housing Division acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation, and approved codes of practice. We understand the consequences of not meeting our duties and are committed to ensuring we have adequate measures in place to ensure the health and safety of occupants in their homes.

#### **5. Aims**

The Housing Division acknowledges and accepts its responsibilities regarding electrical safety under the Landlord and Tenant Act 1985, the Housing Act 2004, the Electricity at Work Regulations 1989, and the Electrical Equipment (Safety) Regulations 2016.

The Landlord and Tenant Act 1985 places duties on landlords to ensure that electrical installations in rented properties are:

- Safe when a tenancy begins
- Maintained in a safe condition throughout the tenancy

To comply with these duties, electrical installations are required to be periodically inspected and tested. The intervals between inspections are not absolutely set within any regulations, however, best practice guidance from the Electrical Safety Council and from BS7671:2008 states that electrical installations should be tested at intervals of no longer than 5 years from the previous inspection.

The key objectives of the policy are to establish:

- Electrical safety management principles
- Approach to compliance remedial work

- Record keeping
- Competent persons
- Training
- Audit procedure
- Non-compliance
- Electrical Safety Information

## **6. Policy Statement**

The Housing Division will ensure that all electrical installations, including any fire alarm systems and hardwired smoke and carbon monoxide (CO) alarms shall be in a satisfactory condition following completion of an electrical installation inspection and test.

We will ensure that only suitably competent NICEIC electrical contractors and engineers (or equivalent) undertake electrical works for the organisation.

We will require an electrical installation inspection and request a Minor Electrical Works Certificate (MEW) when completing planned component replacement works within domestic properties.

We will have a process in place to gain legal access should any tenant refuse access to carry out essential electrical safety related inspection and remediation works, taking into consideration our residents' vulnerabilities. Our tenancy and lease agreements enable us to obtain access for these purposes.

We will ensure that processes and controls are in place to manage the completion of follow up works identified during inspection and testing of electrical installations.

Where appropriate any compliance risks will be considered, mitigated, or removed as part of any major refurbishment works or included in new development design briefs.

We will ensure our contractors will provide a risk assessment for electrical safety management and operations. This risk assessment will set out the contractors' key electrical safety risks together with appropriate means of mitigation.

## **7. Key Roles and Responsibilities**

The Assistant Director of Housing Management will have overall operational responsibility for ensuring the Electrical Safety Policy is fully implemented to ensure full compliance with the regulatory standards, legislation, and approved codes of practice. As such the Assistant Director of Housing Management will review this policy periodically. The policy will be reviewed every three years (or sooner if there is a change in regulation, legislation, or codes of practice).

The Assistant Director of Housing Management will receive quarterly updates on the implementation of the Electrical Safety Policy and electrical safety performance along with notification of any non-compliance issue which is identified. This is so they have assurance that the policy is operating effectively in practice.



The Housing Division will produce at least quarterly reports in respect of electrical safety management performance and ensure compliance is being achieved.

## **8. Appointed Duty Holder**

The Housing Compliance Manager will fulfil the role of appointed 'Duty Holder' on behalf of the Housing Division to ensure the appropriate management of the risks associated with electrical safety. As a result, the Housing Compliance Manager will hold responsibility for the implementation of this document, and supporting Electrical Safety Procedure, as well as ensuring compliance is achieved and maintained.

Although the organisation has an appointed Duty Holder, the Assistant Director of Housing Management will be responsible for ensuring compliance with current legislation, ensuring that the organisation fulfils its duties and responsibilities as outlined in this policy document and the supporting procedures.

## **9. Responsible Persons**

The Head of Major Works shall ensure that there are suitable arrangements in place for the delivery of the Electrical Safety programme and the implementation of the Electrical Procedure. This includes the prioritisation and implementation of any works arising from the electrical safety inspections.

The Area Managers will provide key support in gaining access to properties where access is proving difficult and use standard methods to do so. They will also facilitate the legal process to gain access, as necessary.

## **10. Competent Persons**

Any contractor undertaking electrical installation work must be registered through the National Inspection Council for Electrical Installation Contractors (NICEIC) the Electrical Contractors Association (ECA), National Association for Professional Inspections (NAPIT) or other accredited body. Individual engineers working on electrical installations must be trained, competent and hold a relevant industry recognised qualification.

## **11. Obligations**

The Landlord and Tenant Act 1985 places duties on landlords to ensure that electrical installations in rented properties are:

- Safe when a tenancy begins
- Maintained in a safe condition throughout the tenancy,

To be compliant under these duties electrical installations are required to be periodically inspected and tested. The intervals between inspections are not fixed in law, however, best practice guidance from the Electrical Safety Council and from BS7671:2018 states that electrical installations should be checked at intervals of no longer than 5 years from the previous inspection. Any deviation from these intervals should be at the recommendation of a competent NICEIC qualified (or equivalent)

person and should be backed up by sound engineering evidence to support the recommendation.

All electrical installations will be inspected and checked prior to the commencement of any new schemes and a satisfactory Electrical Installation Condition Report (EICR) should be issued to City of London upon request.

The Electricity at Work Regulations 1989 place duties on employers that all electrical installations and appliances within the workplace are safe and that only competent persons work on the electrical installations, systems, and equipment.

The Electrical Equipment (Safety) Regulations 2016 require Landlords to ensure that any electrical appliances provided as part of a tenancy are safe when first supplied and gifted to the tenant. If the appliance is not gifted an annual check will be undertaken as part of the annual portable appliance testing (PAT) programme.

We will hold accurate and up to date records and certificates against each property we own or manage, identifying when the electrical installation was last inspected and tested and when re-inspections are due.

## **12. Compliance remedial works**

The Housing Division will ensure there is a robust process in place for the management of any follow-up works required following the completion of a periodic inspection and test of an electrical installation or electrical portable appliance.

We will as a minimum make safe and/or where endeavour to repair all code 1 and code 2 defects identified by a periodic electrical installation inspection and test before leaving site after completing the inspection and testing works. Any further remedial works to code 1 and 2 defects will be completed within 10 working days (except where a rewire is required) and an EICR will be issued stating that the installation is in a satisfactory condition.

We will establish and implement programmes of electrical installation upgrading works to improve electrical installations, that have been identified as not meeting current standards but are in a satisfactory condition for the purposes of an EICR, up to a standard that meets all current requirements of BS7671.

We will ensure there is a robust process in place to investigate and manage all RIDDOR notices issued regarding electrical safety.

## **13. Contract Management**

On at least an annual basis all qualifications, competencies and KPI's will be reviewed for all areas of work contractors undertake on our behalf. We will ensure that all external contractors are provided with up-to-date information relating to all relevant compliance areas.

## **14. Record Keeping**

City of London will establish and maintain accurate and up to date records of all completed EICRs, Minor Electrical Works Certificates (MEW) and smoke/heat/CO detector works.

Installation of emergency lighting and Building Regulation Part P notifications associated with remedial works from these reports and Electrical Installation Certificates and keep these as per the EHA's Data Retention Policy.

City of London will ensure processes and controls are in place to provide and maintain appropriate levels of security for all electrical safety related data.

## **15. Training**

City of London will ensure that all operatives working for, or on behalf of them have the relevant training required for their role. Property Services Officers will undertake periodic assessments of training needs and resulting programmes of internal and/or external training will be implemented.

All relevant staff will understand electrical safety and their roles and responsibilities in ensuring that we maintain full compliance.

## **16. Performance Reporting**

Key performance indicator (KPI) measures will be established and maintained to ensure City of London is able to report on performance in relation to electrical safety. KPI measures will be produced and provided to Senior Management on a monthly basis and to Committee at agreed intervals. As a minimum, these KPI measures will include reporting on the total number of:

- No. of blocks requiring EICR certificate
- No. of blocks with valid EICR certificate
- Proportion of blocks with a valid EICR certificate (%)
- Homes requiring an EICR certificate
- Homes with a valid EICR certificate
- Proportion of homes with a valid EICR certificate (%)
- 

Narrative - an explanation of the:

- Current position;
- Corrective action required, if any; anticipated impact of any corrective action;
- Completion of follow-up/remedial works
- Properties which are due to be inspected and tested within the next 30 days.

We may carry out an independent audit of electrical safety periodically. This audit will specifically test for compliance with regulation, legislation and codes of practice and identify any non-compliance issues for correction. It will also look at and test processes to ensure that they are being adhered to and are still fit for purpose.

## **17. Non-Compliance / Escalation Process**

Any non-compliance issue identified at an operational level will be formally reported to the Compliance Manager in the first instance.

The Compliance Manager will agree an appropriate course of corrective action with the operational team to address the non-compliance issue and report details of the same to the Housing Management Team. The Housing Management Senior Leadership Team will consider the implications and take action as appropriate.

## **18. Communication**

The Housing Division considers effective communication essential in the safe delivery of electrical safety management and will therefore ensure that relevant information is provided to residents.

## **19. Related documents**

- Estate Management Policy
- Health and Safety Policy (Corporate)
- Fire Safety Policy
- Gas Safety Policy
- Housing Strategy
- Housing Asset Management Strategy
- Repairs & Maintenance Policy

## **20. Equalities**


This Policy has been subject to an equalities test of relevance and will be implemented in accordance with our responsibilities and duties under relevant legislation, including the Equalities Act 2010.

## **21. Data Protection**

We will comply with our obligations under relevant data protection legislation and regulations. We will process and store personal information securely.

## **22. Exceptions**

We may make an exception to the approach outlined in this policy if the circumstances require it and it is reasonable to do so. Our reasoning can be provided to the affected parties on request.

<b>Department of Community &amp; Children's Services</b>  <b>Housing Service</b>			
<b>Policy Title: Electrical Safety</b>			
<b>Document Owner: Head of Housing Management</b>			
<b>Date Approved:</b> <ul style="list-style-type: none"> <li>• (original)</li> <li>• [DATE] (this version)</li> </ul>			
<b>Version:</b>		<b>Last amendment:</b>	
<b>Effective date:</b>		<b>Next review date:</b>	
<b>Changes:</b> <ul style="list-style-type: none"> <li>•</li> </ul>			

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**City of London Corporation**  
**Department of Community & Children's Services**  
**Housing Division**

**LIFT SAFETY POLICY**

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<b>Approved by:</b>	<i>Housing Management &amp; Almshouses Sub-Committee</i>
<b>Original Approval Date:</b>	
<b>Review Date:</b>	
<b>Re-Approval Date</b>	-
<b>Next Review Date</b>	<i>**3 years from re-approval**</i>

## **1. Purpose**

The City Corporation owns and manages properties which contain lifts and lifting equipment. We have a duty of care to ensure all lifts are safe to use when needed. This Policy outlines how we will comply with our legal and regulatory obligations relating to lift safety.

As a Registered Provider of social housing, we must, under the Homes Standard, meet all applicable regulatory requirements that provide for the health and safety of the occupants in their homes.

## **2. Scope**

This Policy applies to all the lifts in all properties owned and/or managed by City Corporation's Department of Community and Children's Services, Housing Division.

The following lifts are covered by this Policy:

- Building cleaning cradles and suspension equipment
- Ceiling tracks
- Goods lifts
- Passenger lifts
- Stair lifts

## **3. Aims**

The aim of this Policy is to protect the occupiers of our properties, visitors, staff, contractors, and the public, from the hazards associated with lifts so far as is reasonably practicable. This document sets out key policy objectives, performance measures and responsibilities to help protect those mentioned above from harm.

## **4. Regulator for Social Housing – Regulatory Standards**

The relevant regulatory standard is the Safety and Quality Standard.

The Housing Division acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation and approved codes of practice. We understand the consequences of not meeting our duties and are committed to ensuring we have adequate measures in place to ensure the health and safety of occupants in their homes.

## **5. Key Roles and Responsibilities**

The Assistant Director of Housing Management will have overall responsibility for ensuring the Lift Safety Policy is fully implemented to ensure full compliance with the regulatory standards, legislation and approved codes of practice.



The Assistant Director of Housing Management will receive quarterly updates on the implementation of the Lift Safety Policy along with prompt notification of any non-compliance issues which are identified. This is so they have assurance that the policy is operating effectively in practice.

The Housing Management Senior Leadership Team will receive at least quarterly reports in respect of Lift Safety and ensure compliance is being achieved. They will also be notified immediately of any non-compliance issue identified.

## **6. Appointed Duty Holder**

The Housing Compliance Manager will fulfil the role of appointed 'Duty Holder' to ensure the appropriate management of risk associated with any internal or external lifts at our properties. As a result, the Housing Compliance Manager will hold responsibility for the implementation of this document, and supporting lift safety management, as well as ensuring compliance is achieved and maintained.

Although the organisation has an appointed Duty Holder, the Assistant Director of Housing Management will be ultimately responsible for ensuring compliance with current legislation, ensuring that the organisation fulfils its duties and responsibilities as outlined in this policy document and the supporting procedures.

## **7. Responsible Persons**

The Housing Compliance Manager shall ensure that there are suitable arrangements in place for the inspection of any internal or external lifts. This includes the prioritisation and implementation of any works arising from these inspections, often these fall under local council provision for repairs and/or replacements.

We will ensure that all staff involved in monitoring lift safety are competent and receive appropriate training.

## **8. Policy Statement**

The Housing Division acknowledges and accept its responsibilities under PUWER (Provision and Use of Work Equipment Regulations) 1998 and LOLER (Lift Operation Lift Equipment Regulations) 1998. LOLER only applies to lifting equipment which is used at work; however we carry health and safety duties to third parties in accordance with relevant legislation. Regulations for the maintenance and safety of lifting equipment in residential buildings we own and control will therefore follow the LOLER provisions as a way of meeting our wider health and safety of our residents.

We will hold accurate records against each property we own, or manage, identifying when the lifts were last inspected and tested. Lift safety inspections, servicing, installation and upgrade programmes will be undertaken by competent contractors. Lift safety servicing inspections will be undertaken within the required inspection date.

Independent safety checks are carried out as required under LOLER (Lift Operation Lift Equipment Regulations) 1998.

Only suitably competent persons accredited to ISO/IEC17020 standard (or equivalently accredited) will be procured and appointed to undertake lift inspection, testing, installation, and repair works. We will commission a Lift Consultant to support us to deliver lift replacements and to assist with operational issues where necessary.

## **9. Management Plan**

The Housing Division will maintain a Lift Safety Management Plan (LSMP) and associated Operational Guidance which shall:

- Provide additional guidance on how the commitments outlined within this Policy will be implemented.
- Provide clear lines of responsibility for the management of Lift Safety.
- Set out key Operational Processes.
- Ensure that a clear and consistent process is in place to obtain access to properties where this is required. This will include pro-active assessment of available data for relevant information about the customer to help gain access (disability, vulnerability, local connections, etc.). Tenancy enforcement action will be used where required.
- Maintain a process for dealing with unsafe situations.
- Identify all other policies linked to delivery of this policy.

All staff who have roles identified in the LSMP will receive associated training appropriate to their role.

## **10. Repairs and Maintenance**

City of London Property Services will carry out any reported repair requirements in accordance with the Repairs and Maintenance Policy. All works will be undertaken by people competent and qualified to do so.

## **11. Planned and Major Works**

Planned maintenance or upgrade programmes commissioned by us to buildings that include work to lifts will be subject to review by a competent person to consider their impact. The Housing Division will ensure that any existing risk assessments, maintenance and inspection programmes and examination schemes are reviewed before and after major works programmes where required. We will ensure that for any lift works:

- Anyone appointed to undertake design or construction activities can demonstrate the necessary competence to discharge their responsibilities relating to lift safety.
- Request reasonable assurance that duty holders have demonstrated that resident safety and accessibility can be assured during the works.

- Engage with residents on matters that affect them.
- Request reasonable assurance that duty holders have complied with the building regulations and other applicable standards in relation to lift work where required.
- Request reasonable assurance that there is an appropriate site inspection and sign-off programme in place for the stages of the work.
- We will ensure that all necessary information relating to commissioning and installation certification, and future maintenance requirements is completed and handed over prior to the lift being put in to service.

## **12. Resident Commissioned Works**

The Housing Division will maintain a consent process for any resident commissioned works that involve lifting equipment in accordance with the Alterations Policy. Approval will not be unreasonably withheld, although consent may be refused, or conditions imposed where appropriate. Conditions may include a requirement for the resident to commission appropriate maintenance and inspection activity.

Where unauthorised work with the potential to impact safety is discovered, we will take the appropriate action to remove or remedy. The cost of doing so may be recovered from the resident.

## **13. Record Keeping**

We will maintain accurate records of all completed inspections and services. Certificates associated with those visits will be held in Civica / Keystone Housing Management System. We will carry out validation checks following inspection reports and approve works which will be carried out in accordance with the manufacturer's instructions.

## **14. Performance Reporting**

Key performance indicator (KPI) measures will be established and maintained to ensure the Housing Division is able to report on performance in relation to lift safety. KPI measures are recorded on a monthly basis.

Data includes:

- No. of passenger lifts in operation requiring LOLER inspections
- No. of passenger lifts in operation with valid LOLER inspection
- No. of homes within blocks (HRA) requiring LOLER inspections
- No. of homes within blocks with valid LOLER inspections in timescale
- Proportion of homes for which LOLER inspections completed (%)

## **15. Communication**

We will encourage lift safety by the following actions:

- Periodically inform residents of the importance of reporting any issues with lifts through the provision of information via website, newsletters, and leaflets.
- Maintain a clear approach to gaining access to carry out works and be clear that enforcement action may be taken when it is necessary to do so.
- Maintain a clear complaints process and monitor and record complaints that indicate a risk to safety.

## **16. Legislation**

- Health & Safety at Work Act 1974
- Housing Act 1985
- Housing Act 2004
- Landlord and Tenant Act 1985
- Lift Operation Lift Equipment Regulations 1998 (LOLER)
- Lift Regulations 2016
- Management of Health and Safety at Work Regulations (1999)
- Provision and Use of Work Equipment Regulations 1998 (PUWER)
- Supply of Machinery (Safety) Regulations 2008

## **17. Training**

The Housing Division will ensure that:

- All staff who have roles identified in the LSMP will receive associated training appropriate to their role.
- competent contractors and surveyors are procured and appointed to undertake works on its stock.
- The Housing Compliance Manager has the responsibility to check the competence of contractors and surveyors on an annual basis.

## **18. Equalities**

In applying this policy, we will comply with our duties under the Equality Act 2010 and our own policies on equal treatment.

## **19. Data Protection**


We will comply with our obligations under relevant data protection legislation and regulations. We will process and store personal information securely. There are some circumstances in which we are required by law to disclose information held by us. Where possible, we will explain this duty to the person providing us with the information before disclosing it.

## **20. Exceptions**

We may make an exception to the approach outlined in this policy if the circumstances require it and it is reasonable to do so. We will confirm this in writing to the affected person(s) upon request.



## 21. Document Management

Department of Community & Children's Services		
Housing Service		
Policy Title:		
Document Owner: Head of Repairs and Maintenance		
Date Approved: <ul style="list-style-type: none"><li>• (original)</li><li>• [DATE] (this version)</li></ul>		
Version:	Last amendment:	
Effective date:	Next review date:	
Changes: <ul style="list-style-type: none"><li>•</li></ul>		



**City of London Corporation**  
**Department of Community & Children's Services**  
**Housing Service**

**WATER SAFETY POLICY**

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<b>Approved by:</b>	<b><i>Housing Management &amp; Almshouses Sub-Committee</i></b>
<b>Original Approval Date:</b>	
<b>Review Date:</b>	
<b>Re-Approval Date</b>	
<b>Next Review Date</b>	<b><i>**3 years from re-approval**</i></b>

## 1. Purpose

This policy provides an overview of how City of London's water safety obligations will be met in buildings owned or managed by the Housing Division. This includes residential premises, communal areas in residential buildings and on wider estates, and other premises such as community rooms.

It will be supported by a Water Safety Management Plan providing more detailed guidance and procedures.

## 2. Aims of this Policy

The aims of this policy are to:

- ensure that we provide a safe environment for residents, employees and visitors who live, work at, or visit our properties
- establish key principles that will provide water safety and control the legionella bacteria
- help us achieve and sustain 100% water safety management compliance
- provide clear lines of responsibilities for the management of potable water, non-potable water and the control of legionella

## 3. Scope

This policy applies to:

- Properties and offices owned or managed as part of the Housing Revenue Account (HRA), including communal facilities such as community rooms
- The City of London and Gresham Almshouses
- The Barbican residential estate and associated communal facilities

## 4. Legislation

This policy operates within the context of regulatory legal frameworks as follows:

- The Health & Safety at Work Act 1974
- The Health and Safety at Work Regulations (1999)
- Management of Health & Safety at Work Regulations (1999)
- Workplace (Health, Safety & Welfare) Regulations 1992
- The Control of Substances Hazardous to Health Regulations 2002 (COSHH)
- The Building Regulations 2010 (and amendments)
- Provision and Use of Work Equipment Regulations 1998
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (2013)
- Construction Design and Management Regulations 2015
- Landlord and Tenant Act 1985
- The RSH Regulatory Standards (Safety and Quality Standard)
- Approved Codes of Practice (ACoP) (Health and Safety Commission)
  - ACoP L8: Legionnaires Disease – The control of legionella in water systems



- HSG 274. Legionnaires Disease Technical Guidance
  - Part 1: The control of legionella bacteria in evaporative cooling systems.
  - Part 2: The control of legionella bacteria in hot and cold-water systems.
  - Part 3: The control of legionella bacteria in other risk systems.
- BS 8580:2010 (Water Quality – Risk assessments for Legionella control – Code of Practice).
- Notification of Cooling Towers and Evaporative Condensers Regulations 1992

## **5. Regulator for Social Housing – Regulatory Standards**

We will ensure that we meet all our legal responsibilities under the relevant and current compliance legislation for the health and safety of occupants in their homes.

This policy will assist us in complying with the Safety and Quality Standard set by the Regulator for Social Housing.

## **6. The Policy Approach**

The Housing Division will:

- ensure each property has a valid legionella risk assessment
- ensure annual and regular testing, checking, monitoring, sampling and cleaning of tanks are carried out in line with the recommendations of the legionella risk assessment for the property
- ensure the actions undertaken, or readings taken, are recorded in the Control of Legionella Logbook.
- ensure the routine management and monitoring of water safety will include temperature testing with escalation actions where temperatures are between 20-45°C, flushing low use water outlets, cleaning and disinfection of relevant components
- ensure the routine monitoring and testing regimes are detailed within the site management procedure
- take appropriate action if access is refused to assess or maintain an installation where responsibility for the management of water safety and the control of legionella rests with the Housing Division
- ensure all potable (drinking) water and non-potable water installations that are the responsibility of the Housing Division will be maintained and repaired to 'approved standards' and regularly tested, checked, monitored, sampled and cleaned in line with the actions and intervals recommended in the legionella risk assessment
- consider information regarding the support needs of the tenant(s) and staff. The process will be detailed in the Water Safety Management Procedure.
- proactively assess data (where available) for relevant information about the tenant to help gain access (disability, vulnerability etc). The process will be detailed in the Water Safety Management Procedure.

## **7. Water Safety (Legionella) Risk Assessments**

Legionella risk assessments shall be undertaken in accordance with the Water Safety Management Procedure and shall include the property type/tenure and frequency of inspections.

## **8. The Control of Legionella**

Property legionella risk assessments will be routinely assessed and validated to ensure suitability and validity; recorded on the water safety management tracker and will be retained for 5 years after a reassessment has taken place and include the following as a minimum:

- Consider who may be especially at risk
- Evaluate and eliminate or reduce the risk from legionella as far as is reasonably practical and provide general legionella precautions to deal with any residual risk
- There are any major works undertaken that affect the hot and/or cold water supply such as the replacement of the boiler, the replacement or provision of a main hot water heater, the installation or replacement of bath/shower room appliances, etc.
- It becomes apparent through the regular checks that the existing control measures are no longer effective highlighted by a pattern of increased contaminated samples.
- Any other reason that demonstrates that the legionella risk assessment is no longer valid.

Legionella control measures and remedial work resulting from the legionella risk assessment will be prioritised and a timescale for action applied; a regular regime of monitoring and testing will be undertaken to minimise the risk of legionella. The procedures, including timescales for completing all water risk assessment actions, are detailed in the Water Safety Management Procedure.

## **9. Scalding**

Scalding can occur in many situations in all properties or offices owned and/or managed by the Housing Division. Where deemed necessary by an Occupational Therapist or other appropriate person, temperature controls in the form of a Thermostatic Mixing Valve (TMV, sometimes called a thermostatic blending valve) will be implemented.

The TMVs will be set in accordance with the Health Technical Memorandum 04-01: Safe water in healthcare premises guidelines which refers to maximum hot water and surface temperatures for safe use.

## **10. Water Safety Management Commitments**

The Housing Division will work within the following commitments:

- The Housing Division will implement this policy to aim to achieve 100% compliance with the requirements Section 3 (2) of the Health and Safety at Work Act 1974 (HASWA), Management of Health and Safety at Work

Regulations 1999, Control of Substances Hazardous to Health Regulations 2002 (COSHH) and HSG 274 Approved Code of Practice (ACOP)

- Identify and assess the risks of Legionellosis where water systems are present in the workplace and to domestic properties and remove or minimise the risks by taking reasonable precautions.
- All detailed water risk assessments will be undertaken within the inspection programme timescales by persons who are competent, experienced and have been correctly trained to carry out these duties
- Legionella risk assessments are desktop reviewed annually.
- General precautions are taken and/or actively seek to remove potential water safety risks through the delivery of ad-hoc or planned programmes of work in all our properties
- If properties are going to be untenanted and empty for a period of more than 7 days, the hot and cold water outlets will be flushed on a weekly basis during the period when the property is void
- If properties are going to be void for longer periods, the water supply should be turned off and the pipework drained down. Prior to occupation or reoccupation, the system is to be flushed and shower heads & spray taps disinfected before a tenant occupies the property
- Regular routine water checks and testing are undertaken to mitigate the risk of the legionella bacteria developing and actions/findings following these checks will be actioned
- Where required/recommended all hot water outlets in bath/shower rooms, en-suites and W.C.s will have TMVs fitted
- Regular routine temperature checks and testing of TMVs (where installed) will be undertaken to mitigate the risk of scalding
- Ensure that, in line with the recommendations of HSE ACoP L8, all City of London employees that are involved in the management of water safety receive appropriate training and refresher training in order to understand and appreciate our responsibilities as Landlord and the actions required to ensure water safety is not compromised

## 11. Record Keeping

The certificate and details of the legionella risk assessments will be held in the Water Safety Management Tracker (WSMT) section of the Compliance Master Spreadsheet. The water safety management contractor will provide an electronic copy of the risk assessment, the details of which are to be checked and recorded in the WSMT and filed in a public Compliance folder by year and property.

- Compliance with the WSMT shall be reported to Senior Management on a quarterly basis
- All records relating to WSM shall be kept for a minimum of 5 years
- Legionella risk assessments will be held for a period of 5 years after the LRA is no longer valid
- We will carry out regular validation checks to ensure all properties have a valid LRA and any new properties added to the WSMT
- An LRA will be undertaken on all new properties to be brought into management plus any properties where the LRA is considered to be invalid due to a fundamental change in the profile of the tenant(s), major works have been

undertaken, there has been a pattern of issues with contamination or other issues which suggest that the LRA is no longer valid. The new LRA will supersede the old LRA. The WSMT will be updated with details of the new LRA and an electronic copy of the new LRA filed in the WSM folder by year and property

- There will be a detailed record of all attempts to gain access and we will take all necessary steps to ensure access is obtained through following legal best practice. The process will be detailed in the Water Safety Management Procedure
- The water safety contractor will provide an electronic copy of any additional or ad-hoc works record sheet which will be checked and retained

## **12. Contractor's competence**

We will ensure that water safety management works are only undertaken by technicians that are competent and the following controls will operate to ensure competence can be demonstrated:

- Only those legionella/water safety management contractors registered with and licensed by the HSE and/or Legionella Control Association and approved by the Housing Division, will be permitted to carry out work in properties that we own or manage.
- Contractors will only use UKAS approved laboratories for the analysis of water or other samples taken.
- All associated water safety related works will be undertaken by appropriately trained and competent operatives. This will include a competence assessment against the nature of the work to be completed.
- Contractor accreditations will be monitored and regularly updated.

## **13. Regular temperature checking and flushing**

Regular weekly or monthly temperature checking and flushing of little used outlets is to be carried out by competent site staff that have the appropriate equipment.

- Only site staff that have received suitable training and instruction can undertake the regular temperature checking, flushing, monitoring and recording regimes
- The regular weekly or monthly temperature checking, flushing, monitoring and recording regimes should be undertaken, as far as possible, at the same time and day each week/month
- The fact that the action has been undertaken and the findings from the action are to be recorded in the Control of Legionella Logbook
- If any issues are identified during the checks these should be reported to City of London without delay

## **14. Site Staff Competence**

The Responsible Person is responsible for undertaking the regular weekly or monthly temperature checking, flushing, monitoring and recording regimes stipulated in the LRA.

City of London will ensure that the Responsible Person is aware of their responsibility to ensure that all their staff that are involved in water safety management have received appropriate training and provided with the appropriate equipment in order to carry out the regular temperature checking, flushing, monitoring and recording regimes as required.

The Responsible Person is responsible for the ongoing review of the competence of the site staff carrying out water safety management actions any refresher training found to be necessary and the induction and training in water safety management of any new or temporary staff expected to undertake the regular water safety management actions.

## **15. Monitoring**

The Assistant Director of Housing Management will act as Duty Holder and will receive regular reports on the performance of this policy. The Duty Holder is accountable for ensuring its implementation and are responsible for ensuring that any necessary remedial work necessary and remedial actions are undertaken to comply with the policy.

The Assistant Director of Housing Management will retain the overall responsibility for the monitoring and consistent implementation of this policy.

The Housing Compliance Manager will be the designated Responsible Person and will be responsible for:

- Implementing the policy on a day-to-day basis ensuring that any necessary remedial works or actions are undertaken and that sufficient competent resources are in place to ensure their capability to comply with this policy. The duties are detailed in the Water Safety Management Procedure.
- Ensuring that any properties which are added to the portfolio are assessed, added to the water safety management tracker and included in the water management programme. The WSMT to be reconciled against the Housing Division stock list on a quarterly basis, i.e. where new build properties, new acquisitions or new leased properties are taken into management by us.

The Compliance Manager will be responsible for producing a monthly report to ensure performance can be measured. Metrics will include:

- No. of homes requiring Legionella Risk Assessments
- No. of homes with valid Legionella Risk Assessment
- Proportion of properties with Legionella Risk Assessment (%)
- Cold Water Storage Tanks
- Cold Water Storage Tanks with valid Legionella Risk Assessment
- Proportion of Cold Water Storage Tanks which are compliant

The Compliance Manager will, on a regular basis, check that a copy of the current LRA and Written Statement are available on site.

The Compliance Manager will also ensure that the Control of Legionella Logbook is up to date.

Water Safety Management will be monitored on a quarterly basis by the Compliance Manager to ensure that relevant issues are identified at an early stage.

## **16. Commitment and Review**

Bearing in mind the profile and/or vulnerabilities of some of City of London Housing Division's tenants, water safety is a high-risk area, and this policy will be reviewed on a three-year basis. A strategic review will be undertaken every 3 years which will include all operating procedures.

## **17. Communication**

The Housing Division considers good communication essential in the safe delivery of water safety management and will therefore ensure that relevant information is provided to residents.

## **18. Related documents**

- Housing Strategy
- Housing Asset Management Strategy
- Estate Management Policy
- Repairs & Maintenance Policy
- Health and Safety Policy

## **19. Equalities**

This Policy has been subject to an equalities test of relevance and will be implemented in accordance with our responsibilities and duties under relevant legislation, including the Equalities Act 2010.


## **20. Data Protection**

We will comply with our obligations under relevant data protection legislation and regulations. We will process and store personal information securely.

## **21. Policy Exceptions**

We may make an exception to the approach outlined in this policy if the circumstances require it and it is reasonable to do so. Our reasoning can be provided to the affected parties on request.

## 22. Document Management

<b>Department of Community &amp; Children's Services</b>  <b>Housing Service</b>			
<b>Policy Title: Water Safety</b>			
<b>Document Owner: Head of Repairs and Maintenance</b>			
<b>Date Approved:</b> <ul style="list-style-type: none"> <li>• (original)</li> <li>• [DATE] (this version)</li> </ul>			
<b>Version:</b>		<b>Last amendment:</b>	
<b>Effective date:</b>		<b>Next review date:</b>	
<b>Changes:</b> <ul style="list-style-type: none"> <li>•</li> </ul>			

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### Housing User Board (HUB) Comments

<p>I have read all the documents. They are all clear and easy to read for a literate reader.</p>	
<p>Thank you for the asbestos and electrical safety draft documents. I seemed to recall many years ago, when I lived at [address], that I did have to have asbestos removed from my bedroom, so it is most welcome that you are acknowledging these issues. I assume that where I now live has already been checked for asbestos?</p> <p>Perhaps you should also consider, if not already undertaken, that the issue of reinforced autoclaved aerated concrete (RAAC) should also be fully investigated.</p> <p>With regard to your electrical safety draft document, I cannot recall ever having an electrical safety inspection undertaken by the City of London. You mention doing these every five years, so this needs explaining</p>	<ul style="list-style-type: none"> <li>• We can confirm that we have asbestos data for this property</li> <li>• Regarding RAAC, we have completed the desktop analysis of our housing portfolio and undertaken the requisite visual inspections. There is no evidence from the visual inspections that RAAC was used in the construction of the Corporation's housing stock.</li> <li>• The electrical safety inspection query has been referred to the Property Services Team and a response will be provided to the resident</li> </ul>
<p>Asbestos management policy - I have read policy and it seems to be clear and detailed.</p>	
<p>Asbestos</p> <p>Point 4.        Licenced contractors - The HSE only allows certain works on ACM to be carried out by contractors.</p> <p>Should this be 'licensed contractors'?</p> <p>Refurbishment and Demolition surveys – A survey required before any work is carried out which cannot be undertaken using controlled measures and is used to determine the extent and scope of any asbestos removal or remediation works required before works.</p> <p>Don't really understand this</p> <p>6. We will aim to achieve this policy by:        - identifying ACM within their buildings. Where it is not reasonably practicable to identify ACM, for example ACM that may be located in inaccessible</p>	<p>Asbestos</p> <ul style="list-style-type: none"> <li>• Point 4 – this has been amended</li> <li>• Refurbishment and Demolition survey - agreed, the definition could be clearer. This has been amended to "A more detailed survey required before any work is carried out and asbestos materials are likely to be disturbed as part of a refurbishment or demolition project. "</li> <li>• Point 6 – this has been amended</li> </ul>

<p>Should 'their' be 'our'?</p> <p>Lifts</p> <p>10. Repairs and Maintenance        City of London Property Services will carry out any reported repair requirements in accordance with the Repairs and Maintenance Policy. All works will be undertaken by people competent to do so.</p> <p>What does 'competent' cover?</p> <p>12. Resident Commissioned Works        The Housing Division will maintain a consent process for any resident commissioned works that involve lifting equipment in accordance with the Alterations Policy. Approval will not be unreasonably withheld, although consent may be refused or conditions imposed where appropriate. Conditions may include a requirement for the resident to commission appropriate maintenance and inspection activity. Where unauthorised work with the potential to impact safety is discovered, We will take the appropriate action to remove or remedy. The cost of doing so may be recovered from the resident.</p> <p>Does this refer to lifts in homes?</p> <p>22. Exceptions        We may make an exception to the approach outlined in this policy if the circumstances require it and it is reasonable to do so. Our reasoning can be provided to the affected parties on request.</p> <p>Seems a bit vague – who is potentially affected? Who are the parties?</p>	<p>Lifts</p> <ul style="list-style-type: none"> <li>Point 10. Thank you and amended to "competent and qualified to do so", as works will only be carried out by accredited contractors as outlined in section 17, training.</li> <li>Point 12. This refers to the rare occasions on which residents are carrying out authorised works in their property and require lifting equipment to be on site i.e. a fork lift to transfer heavy materials.</li> </ul> <p>This also covers instances where a resident may have installed lifting equipment i.e. a stairlift, that has been deemed as unsafe by a City of London representative.</p> <ul style="list-style-type: none"> <li>Point 22 – this is a standard part of our policy documents, which makes clear that we can depart from usual policy rules if the circumstances demand it, and it is reasonable to do so. This is to avoid fettering our discretion and being overly rigid in our application of the policy, which could theoretically lead to legal challenge (which could happen in the case of some policies but is unlikely here).</li> </ul> <p>The 'relevant parties' are most likely to be residents.</p>
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<b>Committee:</b> Housing Management and Almshouses Sub-Committee	<b>Dated:</b> 17/04/2024
<b>Subject:</b> Reasonable Adjustments Policy	<b>Public</b>
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>	2, 3
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>£</b>
<b>What is the source of Funding?</b>	
<b>Has this Funding Source been agreed with the Chamberlain’s Department?</b>	<b>N/A</b>
<b>Report of:</b> Judith Finlay, Executive Director, Community and Children’s Services	<b>For Decision</b>
<b>Report author:</b> Liam Gillespie, Head of Housing Management	

## Summary

We are committed to ensuring that our services can be accessed by residents with disabilities and additional needs. To support this commitment, a Reasonable Adjustments Policy has been drafted for the Housing Division.

The policy provides a brief statement on how we will respond to the need to vary our services for individuals in line with the requirements of the Equality Act 2010. It is good practice for housing providers to maintain such a policy given the varied needs of residents accessing housing services.

The policy is intended to promote fairness and ensure that those accessing our services have their individual needs considered promptly and sensitively. Implementation of the policy will be supported by training and awareness-raising for Housing Division staff, and a brief procedure to ensure compliance.

## Recommendation

Members are asked to:

- Approve the Reasonable Adjustments Policy for use by the Housing Division

## Main Report

## Background

1. The Equality Act 2010 (“the 2010 Act”) places an obligation on public sector organisations to make reasonable adjustments to their services to ensure that they are accessible to disabled people, to reduce the likelihood of discrimination against those with this protected characteristic.
2. ‘Reasonable adjustments’ refers to modifications or changes to physical environments, or policies, procedures and practices, to make them more accessible to disabled people so they are not placed at a disadvantage when compared to those without a disability.
3. Under the 2010 Act, the legal duty to make reasonable adjustments arises in three circumstances:
  - Where there is a provision, criterion or practice which puts a disabled person at a **substantial disadvantage** in relation to a relevant matter in comparison with persons who are not disabled
  - Where a physical feature puts a disabled person at a substantial disadvantage in comparison with persons who are not disabled
  - Where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in comparison with persons who are not disabled.
4. Landlords must also consent to the making of disability-related improvements to rented residential premises unless the request is unreasonable. For our purposes, this relates to requests for disabled adaptations following an occupational health assessment.
5. ‘Substantial disadvantage’ means something which is ‘more than minor or trivial’. What is reasonable depends on the context of the request and the resources of the landlord. It is about putting in place what is practical to minimise disadvantages, taking into account what is affordable and achievable.

## Examples of Reasonable Adjustments

6. The policy does not aim to describe every situation in which we might make a reasonable adjustment. It is a general statement of our commitment to ensuring that disabled residents (and other service users, such as housing applicants) are not at a disadvantage when using our services.
7. The following are typical examples of reasonable adjustments that we might be asked to make:
  - Altering physical features: installing automatic door openers, building ramps, widening a doorway, converting bathrooms into wet rooms

- Auxiliary aids: replacing taps or door handles, adapting doorbells/entry systems, installing a stairlift, fitting grab rails
8. Another area in which reasonable adjustments might be considered relates to the application of housing management policies or decisions. For instance, we may consider:
- Giving someone longer to respond to requests for information
  - Extending a deadline as part of our complaints process
  - Giving someone longer to complete a task, such as clearing a property at the end of a tenancy
  - Finding someone an alternative parking space or garage, which better suits their needs
  - Finding temporary alternative accommodation for a resident while works are carried out in their home
  - Assisting an applicant to bid for properties through our Choice-Based Lettings system, for instance by auto-bidding or placing manual bids for them
  - Providing communications in a specific format (e.g. Braille, large print or coloured paper), or using a sign-language interpreter at a meeting or event
9. When deciding what is reasonable, we will consider:
- How effective the adjustment(s) will be in assisting someone with a disability and in preventing or reducing the possibility of them being at a disadvantage
  - The practicality of us making the adjustment(s)
  - The cost of the adjustment(s) and whether this is possible within our resources, and
  - Any disruption to the service that making the adjustment(s) may cause.
10. In circumstance where we are unable to make an adjustment due to cost or resources, we will work together with the individual to find the most appropriate alternative solution for them.
11. In most cases, we will be able to assist people and staff often make very quick decisions on adjustments as a routine part of their work. The requests that require more detailed consideration tend to be those involving making physical changes to a property, which must be assessed for cost and suitability.

12. A well-established process exists for property adaptations for disabled residents, which involves professional referrals to occupational health experts, who will recommend adjustments to make the home more suitable for the resident.

13. In 2023/4, we carried out work to adapt 25 homes to meet tenants' needs, at an approximate cost of £83,000. These works included converting bathrooms to accessible wet rooms, providing accessible shower enclosures, fitting handrails and grab rails, and installing stairlifts.

## **Staff Training**

14. Equalities duties and reasonable adjustments considerations are included in our 2024/5 training plan for the Housing Division. We will ensure that mandatory training is delivered on these subjects to support the implementation of this policy.

## **Corporate & Strategic Implications**

### **Strategic implications**

This policy and related practise supports the following outcomes of our Corporate Plan 2024-29:

- Diverse, engaged communities
- Providing excellent services

Ensuring service provision is accessible and meets the needs of service users is key, and will be promoted by the implementation of this policy, and associated staff training and awareness.

Financial implications - none

Resource implications – none.

Legal implications – none.

Risk implications – none.

### **Equalities implications**

This policy promotes compliance with the Public Sector Equality duty and our obligations under the Equality Act 2010 regarding reasonable adjustments. The impact on those with relevant protected characteristics will be positive, as the policy promotes greater awareness of the need to consider reasonable adjustments and supports the delivery of more accessible services.

Climate implications – none.

Security implications – none.

## **Conclusion**

15. To support our commitment to eliminating discrimination and ensuring that our services are as accessible as possible to those with disabilities or additional needs, a Reasonable Adjustments Policy has been drafted for use by the Housing Division.

16. The policy outlines how we will meet the requirement to make reasonable adjustments to avoid substantial disadvantage to disabled people, as required by the Equality Act 2010.

17. The implementation of the policy will include delivering training to Housing Division staff on relevant equalities considerations when responding to service requests.

### **Appendices**

- Appendix 1 – Draft Reasonable Adjustments Policy
- Appendix 2 – Responses to Housing User Board (HUB) consultation, March 2024
- 

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**City of London Corporation**  
**Department of Community & Children's Services**  
**Housing Service**

**REASONABLE ADJUSTMENTS POLICY**

<b>Approved by:</b>	<i>Housing Management &amp; Almshouses Sub-Committee</i>
<b>Original Approval Date:</b>	
<b>Review Date:</b>	<i>+ 3 years from approval</i>
<b>Re-Approval Date</b>	-
<b>Next Review Date</b>	<i>**3 years from re-approval**</i>

## **Introduction**

1. This policy outlines the approach to implementing reasonable adjustments to accommodate the needs of housing residents and service users living in homes managed by the City of London Corporation, or accessing services provided by us, in compliance with relevant legislation, including the Equality Act 2010.

## **Scope**

2. This policy is specifically applicable to services provided by the Housing Division of the City of London's Department for Community and Children's Services. It covers adjustments for residents or service users with disabilities or specific needs.
3. The policy applies to the management of homes on the housing estates forming part of the Housing Revenue Account (HRA). It also applies to the management of the City of London Almshouses and Gresham Almshouses, which is undertaken by the Housing Division on behalf of the respective charitable trusts.

## **Legal Framework**

4. Local authorities must adhere to the Equality Act 2010, which prohibits discrimination on the grounds of disability. Housing providers are obliged to make reasonable adjustments to ensure that disabled residents or service users are not disadvantaged in comparison to non-disabled people.

## **Definition of Reasonable Adjustments**

5. Reasonable adjustments refer to modifications, accommodations, or changes to policies, practices, or physical environments to ensure equal access and opportunities for disabled people. Adjustments may include alterations to premises, provision of auxiliary aids, changes to policies, or adjustments to services.

## **Request Process**

6. Residents or service users accessing our services are encouraged to formally request reasonable adjustments by submitting a request to us.
7. Requests should include details of the specific adjustments required and any supporting documentation, such as medical certificates or assessments.

8. Staff will also identify any reasonable adjustments they believe may be appropriate when in contact with residents or service users, or when responding to a service request from them. These will be discussed with the individual to ensure that they are appropriate.

### **Assessment and Approval**

9. We will assess the reasonableness and feasibility of any requested adjustments. Adjustments will be approved unless it is shown that they are not reasonable or practicable within the resources available to us.
10. For minor adjustments identified or requested during routine service delivery, a decision might be made immediately. For more complex requests, we will aim to decide as quickly as possible and will reply within our standard customer service timescales. This time scale may be extended if we require further information from the resident or service user.

### **Record Keeping**

11. We will maintain a written record of any requests made to us, and decisions made in respect of them. We will also record details of any adjustments we elect to put in place at our own initiative.

### **Communication**

12. We will maintain open communication with residents and service users throughout the adjustment process. Timely responses will be provided to acknowledge, assess, and implement reasonable adjustments.

### **Confidentiality**

13. Information related to an individual's disability and reasonable adjustments will be treated confidentially and shared only with relevant staff on a need-to-know basis.

### **Training**

14. Staff members involved in the implementation of reasonable adjustments will receive appropriate training to ensure a clear understanding of their responsibilities.
15. Training will include awareness of the Equality Act 2010 and the importance of providing equal opportunities to residents and other service users.

## **Review and Monitoring**

16. This policy will be regularly reviewed to ensure compliance with legislative changes and best practice.
17. We will monitor the effectiveness of implemented adjustments and make improvements, as necessary.

## **Accessibility Information**

18. We will make information regarding the availability of reasonable adjustments easily accessible to residents and service users through various channels, such as websites, newsletters, or information leaflets.

## **Review Process**

19. Residents and service users who are dissatisfied with the outcome of a reasonable adjustment request may ask that the matter is reviewed by a more senior decision-maker or use our complaints process if they believe there has been a service failure.

## **Policy Exceptions**

20. In exceptional circumstances, we may consider making a variation to this policy. Our reasoning can be provided to the affected parties on request.

## **Equality and Diversity**

21. This Policy has been subject to an equalities impact assessment and will be implemented in accordance with our responsibilities and duties under relevant legislation, including the Equalities Act 2010.
22. We will ensure that tenants' needs are considered when implementing this Policy to ensure that they are treated fairly. We will make appropriate arrangements to ensure that customers with distinct communication needs are not unreasonably and disproportionately affected. This could involve providing communications in alternative languages or formats or providing interpretation or transcription as appropriate.

## **Data Protection and Information Exchange**

23. We will comply with our obligations under relevant data protection legislation and regulations. We will process and store personal information securely.

24. There are some circumstances in which we are required by law to disclose information given to us.

## **Policy Review**

25. We will review this policy at least every three years, or following relevant changes to legislation, regulation, or policy.


## **Legislation**

- Equality Act 2010

## **Related documents**

- Reasonable Adjustments Procedure

DRAFT

<b>Department of Community &amp; Children's Services</b>  <b>Housing Service</b>		
<b>Policy Title: Reasonable Adjustments</b>		
<b>Document Owner: Head of Housing Management</b>		
<b>Date Approved:</b> <ul style="list-style-type: none"> <li>• (original)</li> <li>• [DATE] (this version)</li> </ul>		
<b>Version: 1</b>	<b>Last amendment:</b>	
<b>Effective date:</b>	<b>Next review date:</b>	
<b>Changes:</b> <ul style="list-style-type: none"> <li>• New policy</li> </ul>		

**Feedback from the Housing User Board (HUB) – Reasonable Adjustments Policy**

- I read [the] document on Reasonable Adjustments and it is clear and easy to understand. I am very elderly so read the Reasonable Adjustment with particular interest. I found it reassuring to know that if I had a request someone would be prepared to consider it and I also understood that adjustments might not always be possible and the answer to a request might be negative.
- As with the reasonable Adjustment policy, it is comprehensive in all that it covers, and I cannot think of anything that it does not include

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## Agenda Item 5

<b>Committee(s):</b> Housing Management & Almshouses Sub-Committee – For Decision	<b>Dated:</b> 17 April 2024
<b>Subject:</b> Fire Safety Update – HRA Properties	<b>Public</b>
<b>Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?</b>	1, 2, 4, 12
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>N</b>
<b>If so, how much?</b>	<b>N/A</b>
<b>What is the source of Funding?</b>	
<b>Has this Funding Source been agreed with the Chamberlain’s Department?</b>	<b>N/A</b>
<b>Report of</b> Judith Finlay Executive Director of Community & Children’s Services	<b>For Information</b>
<b>Report author:</b> Pam Wharfe Assistant Director, Housing and Barbican Department of Community & Children’s Services	

### Summary

The purpose of this report is to provide Members of this Committee with information on how the City of London Corporation (the Corporation), through its Housing Property Services Team, is ensuring that its homes on its twelve social housing estates are managed in a way that meets compliance with current health and safety legislation, best practice, and regulatory standards relating to fire safety.

### Recommendations

Members are asked to:

1. Note, consider, and comment on the report.

### Main Report

#### Background

1. In July 2017, an initial detailed report was presented to the Community & Children’s Services Committee, the Housing Management & Almshouses Sub-Committee and the Audit and Risk Management Committee updating Members on the Corporation’s approach to fire safety in its social housing portfolio. This report informed Members of the progress we had made with matters such as:

- fire risk assessments,
  - communication with residents,
  - estate management,
  - fire safety maintenance and improvement work,
  - inspections by the London Fire Brigade (LFB),
  - potential future improvement works.
2. Further update and review reports have been brought back to the Housing Management & Almshouses Sub-Committee on several occasions to inform Members of the work that has been done to enhance the safety of the Corporation's social housing estates and its residents in the event of fire.
  3. This report is intended as a further update.

## **Considerations**

### **Automatic Water Fire Suppression Systems (Sprinklers)**

4. Members of the Community & Children's Services Committee have previously agreed a recommendation from its Director to retrofit automatic water suppression systems in each of its five social housing high-rise tower blocks below:
  - Great Arthur House, Golden Lane Estate;
  - Petticoat Tower, Middlesex Street Estate;
  - West Point, Avondale Square Estate;
  - Centre Point, Avondale Square Estate;
  - East Point, Avondale Square Estate.
5. Following completion of a compliant, competitive tendering exercise, United Living was appointed to carry out the installation of automatic water suppression systems in each of the Corporation's five social housing high-rise tower blocks. However, due to escalating costs and potential time delays, Great Arthur House and Petticoat Tower were subsequently removed from the contract with United Living.
6. Although the retrofitting of sprinklers is a complex and challenging project, we are making good progress with the works as set out below.

#### West Point, Centre Point and East Point – Avondale Square Estate

The contractor, United Living are progressing well across the three Avondale Square Point Blocks, with completion now expected by the end of May 2024. Of the 222 properties in the three blocks, four leaseholders have not yet provided access, two tenants have refused access (legal proceedings have commenced) and two tenants require further assistance.

Despite the intrusive nature of the works, resident satisfaction, gauged from ours and the contractor's in-house surveys has been largely positive, with no "very dissatisfied" scores for any aspects of the work and, only a few "fairly dissatisfied". The issues that caused residents to be 'fairly dissatisfied' were identified and promptly addressed.

A fire occurred in a flat in East Point on Sunday 10th March caused by a chip pan fire. The recently installed sprinkler system was activated by the intense heat generated in the kitchen and extinguished the fire. London Fire Brigade attended and turned off the sprinkler discharge. No residents were reported hurt following the incident.

#### Petticoat Tower – Middlesex Street Estate

The successful contractor, Harmony Fire, commenced on site in mid-October 2023, beginning with pre-condition surveys, site setup, and booking installation appointments with residents. Additional asbestos surveys will be required for approximately 50% of the 88 flats.

A busy period of engagement with residents has been commenced, with open viewings of the completed and redecorated pilot flat on 27 September, and “Meet the Contractor” events. Several tenants and leaseholders are refusing access for the works.

To date, communal areas have mechanical rises and controls have been 23 installed on all floors. Textured coating materials that may contain asbestos are being identified and remediated. The main water storage tank for the sprinkler system has been installed.

#### Great Arthur House – Golden Lane Estate

Members will be aware from previous reports that the sprinkler installation at Great Arthur House is to be incorporated into a wider compartmentation and fire safety works project. The project team are looking to commission a Fire Strategy for the building before an application for Listed Building Consent can proceed.

### **Fire Doors**

7. As Members will be aware, the Corporation has committed to replacing all front entrance doors in its residential blocks of flats with fire doors that give up to 60 minutes fire resistance (30 minutes as an absolute minimum). The Fire Door Replacement Programme, also provides for the installation/upgrade of fire stopping/compartmentation solutions to, for example, penetrations above and through the communal doors and frames (service pipes, service cables etc).
8. GERDA, our specialist appointed contractor, continues to make good progress with the fire door installation programme as set out below.

### Lot 1 – York Way and Holloway Estates

The work in Lot 1, to install new upgraded replacement fire doors (front entrances and communal doors) on the York Way and Holloway Estates is now complete. Customer satisfaction with this project, as gauged from our Customer Satisfaction Surveys, was very high (around 96% satisfied or very satisfied).

### Lot 2 – Avondale Square Estate

GERDA has installed 340 fire doors across the Avondale Square Estate that, have also clearly been very well received by residents (as evidenced by the Customer Satisfaction Surveys).

GERDA will be mobilising into the Point Blocks over the coming weeks with a view to commencing works shortly. Works to these blocks had previously been held to allow the sprinkler installation programme and the work to install fibre optics (statutory undertaking) to complete. United Living will still have a presence on site so contractors will need to coordinate appropriately.

### Lot 3 – Sumner Buildings, William Blake Estate, Dron House, Petticoat Tower (communal doors)

Work to Lot 3 has now commenced, with the first doors installed in the Sumner Buildings during the week commencing 11 September. The works to Sumner Buildings are expected to take five weeks to complete (subject to residents granting access) with William Blake Estate and Dron House to follow. The final works to Lot 3, the replacement of the communal doors in Petticoat Tower, will commence when the project for the sprinkler installation has progressed far enough to allow.

Works at Sumner Buildings, Dron House and William Blake Estate are almost complete. Access issues persist at a small number of properties; we are working with Estate teams to resolve. Works to the communal doors in Petticoat Tower are on hold pending the completion of the sprinkler install.

### Lot 4 – Southwark Estate, Windsor House, Isleden House, Sydenham Hill Estate, Spitalfields

Reform Architects have been appointed to lead the design work for Lot 4. There will be an initial focus on Sydenham Hill due to the extra complications of the Listing and previous experience of lengthy timescales when dealing with Lewisham. Other Estates within this Lot will also require engagement with host borough Local Authority Planning where residential front doors open onto external balconies.

## **Fire Risk Assessments (FRAs)**

9. As Members will be aware from the report prepared for its meeting on 2 June 2023, following a corporate procurement exercise, Turner & Townsend (T&T) was appointed

to undertake the next round of FRAs for the Corporation's social housing estates. Type 3 FRAs for each of our residential blocks of flats on our social housing estates were subsequently completed, analysed, and agreed.

10. Residential blocks and, where appropriate, associated community centres, have FRA reports, in which observations on key areas found on the day of the assessment were recorded. Areas identified in each of the FRAs are broadly categorised into the following:
  - issues that require immediate remedial action and could be resolved immediately by teams on site;
  - matters requiring contractor intervention;
  - matters that are/will be subject to or incorporated into major works projects.
11. The latest FRAs also refer to positive practices/innovation, acknowledging that some of the Corporation's fire safety and major works improvements projects go beyond the current minimum statutory requirements including, the new fire doors and installation of sprinklers. The FRAs also refer to future considerations and impacts of the introduction of new legislation, regulations, best practice etc.
12. The main themes identified by the latest FRAs undertaken by T&T include:

#### Fire doors/fire stopping/compartimentation

The areas highlighted under this category form part of the Corporation's Housing Major Works Programme. The Corporation's Fire Door Replacement Programme incorporates front entrance doors to all flats (including, associated door frames and surrounds), communal fire doors and riser/service cupboard doors (part of the fire stopping and compartmentation work). Work to replace fire doors and improve compartmentation has already been completed on two estates since the FRAs were carried out and, work has also started on several other estates. It was also noted in the FRAs, that significant related projects, including the installation of sprinklers within flats would also address concerns around fire stopping and compartmentation.

#### Fire alarms

Any problems identified with existing fire alarms on the day that the FRA survey was carried out, were addressed, and remedied immediately by the on-site estate teams.

The FRAs have identified potential improvements (not statutory) in some of our homes and, in some case, these may be incorporated into future major works projects. One example of this, is the City of London's Almshouses, where it is proposed to carry out a significant upgrade to the existing fire alarm installation, to incorporate both carbon monoxide and environmental monitoring. The enhanced system will also allow for live remote monitoring of alarm activation and faults.

A full pilot system has been installed in one flat. A full scope of the enhanced fire alarm is being undertaken by our contractors, incorporating electrical installation condition reports, to provide full surveying and costs of this project.

### Emergency lighting

Where the FRAs highlighted that whenever emergency lighting systems are to be upgraded/replaced, due consideration must be given to the presence of 'borrowed' external lighting, which may no longer be relied upon to provide sufficient additional lighting to meet the new requirements.

As part of a review of emergency lighting provision across Housing, a paper will be brought forward in due course.

### Personal Emergency Evacuation Plans (PEEPS)/Premises Information Box (PIB)

Although the introduction of PEEPS did not make it into recently introduced legislation as expected, this topic continues to be discussed within several forums at national level. Progress of any potential introduction will continue to be monitored and updates provided to this Committee.

Members will recall from previous reports however, as part of its work to ensure a high standard of fire safety in the homes it manages, the Corporation has introduced a new procedure for assessing vulnerable residents, who may need help evacuating in an emergency or, who may benefit from further help and advice on fire safety issues in their homes. Having carried out over 220 evacuation assessments of vulnerable residents, relevant information has been included in the Premises Information Boxes (PIB) installed across our estates.

Following on from the completion of previous FRAs, the number, location, and contents of the PIBs have been reviewed to ensure they are readily accessible for emergency responders. Secure PIBs include person (resident) vulnerability lists. These lists are refreshed every six months or, when new person specific information becomes known. No personal details are included within the list, only their location within the residential block.

### Testing/records

As stated previously, in the case of emergency lighting, a key part of the FRA process is demonstrating that systems and equipment in our blocks of flats are tested as per the required regulatory frequency. In addition to the testing, records are kept demonstrating effective management of both active and passive fire protection.

13. Carrying out FRAs under the Regulatory Reform (Fire Safety) Order 2005 (RRO), is a vital and legally required part of the CoLC's fire safety strategy for its residential portfolio. The RRO does not however, specify how often FRAs should be carried out or reviewed. Officers have been working very closely with colleagues in the Corporate Fire Safety team to ensure that FRAs on our housing estates are not only carried out in line with the provisions of the RRO but also, are carried out in accordance with the Corporation's own guidance, best practice, and the Fire Risk Assessment Prioritisation Tool.

## **Housing Compliance Working Party**

18. Although members receive many reports on fire safety and compliance with other statutory measures applicable to housing through the committee process, officers are of the view that it would be of significant benefit to set up a Housing Compliance Working Party (HCWP). It is envisaged that the HCWP will comprise officers and members working together to have oversight of the work that the Corporation is doing to ensure it remains compliant with current health and safety legislation, best practice, and regulatory standards relating to fire safety and other relevant statutory housing safety legislation including:

- gas
- electricity
- water testing (legionella)
- asbestos management
- lift maintenance • RAAC.

19. Members are asked to agree to the proposal to set up the HCWP and, to identify up to three members of this Sub Committee to work with officers to take this forward.

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