

Classification: Public

Key Decision: No

Gravesham Borough Council

Report to: Housing Cabinet Committee

Date: 1 February 2024

Reporting officer: Nicole Arthur- Service Manager (Housing Assets)

Subject: Housing Assets Repairs & Maintenance Policy

Purpose and summary of report:

1. To inform Housing Cabinet Committee of the proposed revisions to the Housing Assets Repairs & Maintenance Policy and seek support

Recommendations:

1. For Housing Cabinet Committee to support the revisions to the policy.

Key Implications:	
Item	Implications
Legal	<p>This policy is based on our legal obligations as a landlord and the Tenancy Conditions. The main legislation related to this policy is listed below:</p> <ul style="list-style-type: none">• Landlord and Tenant Act (1985)• Commonhold and Leasehold Reform Act (2002)• Secure Tenants of Local Housing Authorities (Right to Repair) Regulations (1994)• Defective premises Act, S.4 (1972)• The Regulatory Framework for Social Housing in England from April 2015• Homes (Fitness for Human Habitation) Act 2018• Decent Homes Standard
Finance and Value for Money	There are no financial implications to the revision of this policy
Corporate Plan	<p>One Community – Sustainable housing</p> <ul style="list-style-type: none">• Quality living: through a skilled building management team, improve the safety, efficiency, and condition of social housing to create a valued living environment.

	<ul style="list-style-type: none"> • Progressive landlord: an effective housing service, providing comprehensive tenant choice and protection, defined by positive, efficient, and supportive management and engagement. <p>PI 28: Overall housing tenant survey satisfaction score (%)</p> <p>PI 38: % of council homes meeting the Decent Homes Standard</p>
Climate Change	There is no climate change impact with the revision of this policy.

1. Background

- 1.1 In June 2016, the Overview Scrutiny Committee selected Housing Repairs for a further topic review (Part 2) which focused on review of the total amount spent on repairs and maintenance and the capital improvement works to the council's housing stock.
- 1.2 The Overview Scrutiny Committee made a number of recommendations for cabinet consideration which included ensuring there was greater clarity in regards to repairs responsibilities and to provide comprehensive advice in regards to maintenance issues.
- 1.3 In 2017 the service underwent significant change and improvement In order to improve further and to achieve the recommendations from the Overview Scrutiny Committee, the original Responsive Repairs Policy was reviewed to reflect the current demands of the service at this time.
- 1.4 At the time extensive research into policies of high performing local authorities and housing associations was undertaken whilst updating the policy to ensure that the council's approach was reflective of other Social Landlords. Lessons learnt from previous complaints, member and MP enquiries as well as on-going cases also helped shape the policy and its contents.
- 1.5 The revised policy gave clearer guidelines to both tenants and staff on repair responsibilities and what work the council will undertake as a Landlord, expectations from tenants to ensure that the council can justify any decision making and proposed action in regards to repairs and maintenance

2. Current situation

- 2.1 The landscape for landlords has changed drastically since the implementation of the original policy in 2017, and whilst the policy has had a desk top review annually, it is now necessary to undertake a fundamental review due to changes outlined below:
 - **Introduction of Tenant Satisfaction Measures**-The Tenant Satisfaction Measures Standard requires all registered providers of social housing to collect and report annually on their performance on a core set of defined measures to provide tenants with greater transparency about their landlord's performance. The measures include keeping properties in good repair, maintaining building safety, effective complaints handling, respectful and helpful tenant engagement, and responsible neighbourhood management.

- **Social Housing White Paper-** The Social Housing White Paper was introduced in November 2020 by the then Ministry of Housing, Communities and Local Government providing a new Charter for social housing residents. The document sets out the actions the government will take to ensure that residents in social housing are safe, are listened to, live in good quality homes, and have access to redress when things go wrong. In this paper, they outlined their intention to review the Decent Homes Standard to consider if it should be updated, including how it can better support the decarbonisation and energy efficiency of social homes, and improve communal and green spaces.

The Regulator of Social Housing will develop a process for collecting and publishing a core set of tenant satisfaction measures for all social landlords. These should follow the themes set out in the social housing Green Paper, widely supported by tenants, around properties being in good repair with a focus on Decent Homes Standard Compliance, Responsive repairs completed right first time and tenants' satisfaction with landlord's repairs and maintenance service.

- **Disrepair Claims-** The introduction of The Homes (Fitness for Human Habitation Act 2018) initiated the spike in housing disrepair claims received by local authorities and housing associations with Inside Housing reporting the number of cases increased by 132% since the introduction of the Act. There have been an increased number of solicitors pursuing housing disrepair claims casework and approaching residents to claim for any unresolved repairs.
- **Spotlight on Damp and Mould-** The Housing Ombudsman released a special report in October 2021 addressing the issue of damp and mould called "Spotlight on: Damp and mould. It's not lifestyle". The report is a result of both the media spotlight on social housing conditions and what is described as "the high uphold rate and reoccurring reasons leading to maladministration" in the Ombudsman's case work.

The report calls for landlords to take a 'zero-tolerance' approach to damp and mould as well as considering proactive actions to identify homes that have or may be at risk of developing problems rather than waiting for residents to report issues.

The Housing Ombudsman's report recognises the challenges for landlords in tackling these issues including overcrowding, poverty, the age and design of homes, but says landlords should avoid inferring blame on residents due to 'lifestyle'.

- **Awaab's Law-** will be a part of the Social Housing (Regulation) Bill, which is currently in the process of becoming law. The Bill's main aims are to introduce a more effective system of regulating social housing set out by the Social Housing White Paper (which was an initial draft of the Bill). Specific aspects of the Bill include:
 - further intervention from regulators when landlords fail to address their tenants' concerns; this includes removing the capped amount a landlord can be fined,
 - the "performance improvement plan", which highlights the requirement for landlords to create a repair plan if they breach standards,
 - landlords must also ensure that an assigned individual will address health and safety concerns, and

- removing the “serious detriment” test means regulators can still be involved in a case, even if the case is not deemed significantly detrimental.
- **Consumer Standards-** The Regulator of Social Housing are reviewing the Consumer Standards with codes of practice to go alongside with the introduction of a ‘Safety and Quality Standard’ ensuring landlords provide their tenants with safe, good quality homes and effective services. The standard will have five requirements that landlords have to meet which include ‘Quality of homes’, ‘Decent homes’, ‘Health and Safety’, ‘Repairs, maintenance and planned improvements’ and Adaptations.

The ‘Quality of homes’ requirement outlines that registered providers must have an accurate, up-to-date and evidenced understanding of the condition of their homes that reliably informs their provision of good quality, well maintained and safe homes for tenants. To maintain the required safety and quality of their tenants’ homes, landlords need to know what state they are in. The requirement says landlords need to know the condition of their home and requires landlords to do physical assessments of their homes, keep accurate records of the results for each individual home, and use the results (along with other information) to keep homes in a good condition.

The ‘Repairs, maintenance and planned improvements’ requirement outlines that registered providers must provide an effective, efficient and timely repairs, maintenance and planned improvements service for the homes and communal areas for which they are responsible. This requirement says landlords need to maintain and repair their tenants’ homes promptly and properly.

They are proposing strengthening the standard by saying landlords also need to:

- make it easy for tenants to report a repair or a maintenance issue
- keep tenants updated about work on their homes
- understand what they are responsible for in communal areas and fulfil those responsibilities

3. Proposed Policy

- 3.1 Taking into account Section 2 of the report, the Head of Housing Assets has reviewed the repairs and Maintenance Policy (appendix 1) and consulted with colleagues
- 3.2 Appendix 2 summarises the changes to the policy with an explanation as to why the revision has been made.

4. Appendices

- 4.1 The following documents are to be published with the report:
 - Appendix 1- Housing Assets Repairs & Maintenance Policy
 - Appendix 2- Changes Made to the Policy
 - Appendix 3- Equality Impact Assessment

5. Background Documents

- There are no background documents

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Secondary Implications	
Risk Assessment	Failure to implement the policy could mean that we fail to fulfill our responsibility as a Landlord, particularly in relation to health and safety issues that may put both the tenant and the structure of our property at risk
Data Protection Impact Assessment	<i>A data protection impact assessment (DPIA) should be carried out at the start of any major project involving the use of personal data or if you are making a significant change to an existing process.</i>
	a. Does the project/change being recommended through this paper involve the processing of personal data or special category data or criminal offence data ? A definition of each type of data can be found on the Information Commissioner's Office website via the above links. No
	b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice? N/A
	c. If no to question b, please seek advice from your nominated DPIA assessor or the Information Governance Team at gdpr@medway.gov.uk . N/A
Equality Impact Assessment	a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? If yes, please explain answer. No
	b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer. No
	<i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i>
Crime and Disorder	Not applicable
Digital and website implications	The website will be updated to ensure there is clear information regarding tenant responsibilities.
Safeguarding children and vulnerable adults	Not applicable.