

**Committee:** Housing Board  
**Title:** Self-referral to the Regulator for Social Housing for breach of the Home Standard  
**Report Author:** Paul Kingston and Simone Russell

---

**Date:** 27  
**September 2022**

## Summary

1. Members will recall the Special Housing Board on the 8 September regarding the above.
2. The meeting with the Regulator took place on the 12 September 2022. This meeting went as well as could be expected. The Regulator thanked the Council for self referring. A briefing note was sent by Peter Holt, Chief Executive to the Leader of the Council, Cabinet Member for Housing and staff the same day. Appendix 1
3. The Regulator subsequently contacted the council on 12 September seeking further information on compliance and our reasons for wishing to validate the building safety performance data. Officers responded to the Regulator on the 20 September and a copy is provided in Appendix 2.
4. We are now awaiting confirmation of whether the Regulator will take action for breach of the Home Standards this could take several weeks. The decision will be published and will be in the public domain.
5. Members will recall that we have informed all tenants of the position by letter on the 23 August. In the two weeks following the letter being sent, the Customer Service Centre 14 phone calls and out of these, 13 were calling to enquire whether they were on the list of outstanding electrical checks. Four tenants emailed the dedicated inbox but all were raising general repair requests. On two occasions the inbox was used by Customer Service Advisors, but neither was a new enquiry about the electrical checks.
6. The Interim Deputy Director of Housing Health and Communities has met with colleagues at Uttlesford Norse (UNSL) 3 times since the referral to the Regulator has been made and has endeavoured to build a more positive working relationship including the development of many initiatives to drive improvements with building safety compliance many of which are outlined in appendix 2 above.
7. Pennington Choices, an expert in health and safety compliance within the housing sector have been appointed to validate all of the building safety data held by UNSL commencing 3 October. This will provide vital assurance to the Council that the data used to report performance is accurate.

## Recommendations

8. For noting.

### Financial Implications

9. The Governance and Audit Performance (GAP) Committee have been advised that the indicative cost of managing the breach of the Home Standard could reach £300,000. Regular reports will be given to Cabinet on this matter going forward.

### Background Papers

10. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report:

- Appendix 1 – Email from the Chief Executive
- Appendix 2 – Officer response to the Regulator

### Impact

11.

Communication/Consultation	All tenants received a letter advising them about the breach of the Home Standard. Q&As are also available on the Council's website. Further communications will be required when the Regulator makes the decision on whether to serve a Regulatory Notice on the Council. A priority is to provide reassurance to tenants that we are working hard to improve the situation and to encourage tenants to cooperate in making appointments for the safety check.
Community Safety	Officers are working tirelessly with UNSL to improve building safety compliance
Equalities	No particular protected characteristic has been unduly affected. 700 plus tenants have an outstanding electrical safety inspection.
Health and Safety	A breach of the Home Standard regarding outstanding electrical safety inspections and inadequate data held on asbestos has been reported to the RSH
Human Rights/Legal Implications	A referral to the Regulator has been made
Sustainability	No direct impact on sustainability

Ward-specific impacts	N/A
Workforce/Workplace	Two interim staff have been appointed to support the Housing Team in managing the compliance issues

## Situation

12. We are now awaiting a decision from the Regulator as to whether they will take further regulatory action involving publishing the Council's breach of the Home Standard and issuing a regulatory judgement.

## Risk Analysis

13.

Risk	Likelihood	Impact	Mitigating actions
The risks associated with the various six (soon to be seven) key health and safety elements are each obvious, whether fire, explosion, electrocution, poisoning, physical injury etc. This inspection and repair and maintenance regime is precisely there to manage, mitigate and minimise such risks. Successful completion of this work will reduce the likelihood down from 3 – significant, to 1 – low.	Significant - 3	High - 4	As detailed throughout the report that went to the Housing Board – 8 September 2022

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.