

**Health, Housing and Adult Social Care
Scrutiny Committee**

27 March 2024

Report of the Director of Housing, Economy and Regeneration

Housing Asset Management and Repairs Update

Summary

1. This report provides an opportunity for Scrutiny to consider the Asset Management Plan and Repairs Policy of the City of York Council. Knowledge of the Asset Management Plan will help to inform discussions around the long-term investment needs and priorities of the housing asset service. This information, when combined with data from the on-going stock condition survey, can generate a number of potential agenda items for future meetings. Alongside this the Repairs Policy will be updated this year. This policy governs what we will repair and the timescales by which customers can expect this work to be undertaken. Prior to engaging with council housing customers on this planned update, Scrutiny are invited to comment on both the policies and their application to help inform a refresh of this policy.
2. Alongside supporting discussions around these overarching policy documents, this report provides more detailed updates around damp and mould, stock condition surveys, and housing disrepair claims. These three areas being ones which are considered particularly relevant for consideration and discussion given changes in service demand and the legislative framework around these areas.

Recommendations

3. The Committee is asked to:
 - 1) Note the Asset Management Plan, its ambitions and the challenges of balancing priorities and investment opportunities. Following the receipt of stock condition information later this year, Scrutiny are asked to consider adding the 24/25 investment plan to their agenda to

enable discussion around investment priorities.

Reason: To support a shared understanding around the challenges of maintaining and improving council homes and to inform a joined-up discussion around investment priorities in future years.

- 2) Consider the Repairs Policy and to pass comments on both its content and effectiveness prior to engagement with our customers in order to inform a refresh of this document. Scrutiny are asked to consider requesting that the final draft Repairs Policy is brought back before Scrutiny before being considered by Executive.

Reason: To ensure we develop a repairs policy which balances resource capacity with meeting the needs of our customers.

- 3) Note the updates regarding the stock condition survey work, disrepair claims, and updated damp and mould approach. Scrutiny are invited to provide any feedback on our current approach and make suggestions to ensure we are working effectively to support our customers.

Reason: To ensure our council homes are safe, sustainable, affordable and good quality.

Background

4. In December 2022, Executive approved a 2023-2028 Housing Asset Management Plan. This set out an approach to investing in council homes to ensure they are sustainable, affordable and good quality. The Asset Management Plan is attached (Annex A) for information and reference. Whilst the plan sets out a 5-year approach, the introduction of the Regulator of Social Housing and associated changes to how landlords are expected to operate, alongside any emerging good practice guidance and stock condition information means that it is very much a live document that will need to be updated over the plan period. It is considered a useful document for Scrutiny to explore in terms of both developing a shared understanding of our council housing stock and its challenges as well as supporting the development of future Scrutiny agenda items.
5. To achieve the objectives set out in the Asset Management Plan, we invest around £10m of capital into our council homes each year on top of undertaking around 25,000 responsive repairs and maintenance

transactions. However, with an ageing stock profile there are significant demands on our resources and decisions around prioritisation are needed to ensure we provide the best homes we can for our customers. Following the stock condition survey results (further information below) and with a knowledge of the Asset Management Plan there will be future opportunities to explore together how we investment funds future years.

6. Sitting alongside our long-term asset management approach is the more day-to-day activity within the repairs team. This work is governed by a repairs policy which is at Annex B. This document is a number of years old and requires a refresh. The plan is to engage with council house customers and seek views on what works well and what doesn't and identify priorities. Prior to taking this to customers it would be helpful to get feedback from Scrutiny on the current document to identify areas of potential improvement. Scrutiny may wish to pass comments on:
 - The tone and language within the document
 - Its objectives
 - The timescales for works and working times
 - The clarity of the document and whether things would benefit from being more or less prescriptive, should there be more or less flexibility in any areas
 - Recharges
 - Whether anything is missing

7. Scrutiny may also wish to comment on how this document has been applied to real life examples based on their experiences as councillors working alongside our residents and whether the outcome has been a positive one. This information will provide a useful context to help support engagement with our customers. Scrutiny are welcome to request that a copy of an updated Repairs Policy is brought back before Scrutiny prior to being taken to Executive for formal consideration for adoption.

8. Alongside providing a forum to discuss these two overarching policy documents, this report provides an update on three key areas of interest where we have seen some specific changes since the Asset Management Plan was approved. These three areas are stock condition information, claims of housing disrepair, and damp and mould.

Consultation

9. The Asset Management Plan was developed following extensive consultation with departments across the service to support the development of a joined up long term view to maintaining and improving our council homes. This report is intended as a pre-courser to more detailed conversations with Scrutiny regarding the potential allocation of capital funding in future years following the receipt of stock condition information later this year.
10. Our intention is to update the Repairs Policy this year. As part of this process we will be consulting with council house customers. Prior to this resident engagement, Scrutiny are asked to consider the current document and make any relevant comments which will help support the refresh of this policy to help ensure our service is fair, of good quality and takes account of resource implications. Scrutiny are asked to note the changes coming forward following the introduction of Awaab's Law and the implications this may have on the service.

Options

11. Scrutiny are asked to consider options for how these reports inform potential future agenda items around future capital programmes.

Analysis

12. To support conversations around both the Asset Management Plan and Repairs Policy, Scrutiny's attention is drawn to key changes on the horizon in the social housing sector.
13. The first of these is the introduction of the Regulator of Social Housing. This includes the introduction of a Consumer Charter. This seeks to ensure that social housing providers operate with greater accountability and transparency. This will include the reporting of performance information and greater requirements to make information/data publicly available, as well as including council housing customers in decisions. Each Registered Provider will be inspected (similar to an Ofsted style inspection) as well as being required to provide extensive performance information. In respect of asset management, this will include such things as repairs times, complaints, satisfaction levels, and demonstrating compliance against a range of health and safety requirements.
14. The second change, which is very much linked to further regulation, is the introduction of Awaab's Law. Further detail is covered in the damp and mould section below, but in summary this law seeks to ensure that all repairs which affect health and safety considerations are undertaken in

an agreed timescale and that personal circumstances, such as health vulnerabilities, are taken into account when programming in works. Whilst this approach is clearly a positive one for the sector and one which can help to drive up standards, it will create additional responsibilities and drive quicker service responses without additional resources being made available to support this.

Stock Condition Information

15. The council does not currently hold a comprehensive stock condition survey. The most recent survey is over 5 years old (5 years generally being recognised as good practice for this data) and contains a significant amount of cloned/predictive data as only around 1 in 5 properties were surveyed internally. This lack of data makes it more challenging to determine areas of priority investment, and responding efficiently to reactive repair requests, placing a greater reliance on residents to have knowledge of and report issues and on tradespeople to pick up any additional issues as part of day-to-day works. It also creates great challenges in confidently creating both an annual and 5-year investment programme.
16. As such, we have commissioned a full stock condition survey. This work commenced in January and is expected to be complete by the end of the year. Progress is good with over 2000 (of around 7500) council homes having now been surveyed. The vast majority of the information collected through the surveys is released to us at the end of the project. Once received it will enable a greater level of analysis of the challenges and to enable a more informed investment prioritisation. At present, a lot of investment is based on pre-determined investment cycles (e.g. replace a bathroom after 30 years). What the stock condition information will support is to take greater account of not just the age but also the condition of components. This approach will help to ensure that money is invested where it is needed most.
17. If as part of the stock condition survey any Housing Health and Safety Rating System (HHSRS) category 1 hazards are identified, these are sent through to us straight away. HHSRS covers 29 categories of housing hazard including such things as thermal conditions and damp, pollutants, security, and protection against accidents. The HHSRS system includes both likelihood of an incident and the seriousness of the potential outcome. Once a category 1 hazard is reported a job is raised to remove the risk, either through a repair or a method of making safe until a repair can be completed. So far, of the category 1 hazards reported, around half

relate to damp and mould, 10% cover each of potential falls on staircases, structural issues, or electrical hazards. The remaining issues cover things such as hoarding risks and trip hazards. Each risk is now subject to either a repair or Housing Management Officer referral to support the customer.

Housing Disrepairs

18. As a landlord we are required by law to keep our properties in a state of repair and fit for habitation. If we fail to deliver this standard, a home can be considered to be in a state of disrepair and council house residents can take legal action against us.
19. Each year the council publishes how many of its homes fail to meet decent homes standards. The figure for 22/23 was 1.6% which is a significant reduction on recent years. It is expected that the 23/24 figure will reduce further. This reduction is the result of a prioritisation of resources into repairing/replacing components that were causing homes to fail to meet one or more decent homes standards.
20. Good practice guidance from the Housing Ombudsman states that alternative avenues should be fully explored before any legal action is taken if a resident considers that their home is in a state of disrepair. It can be costly and divert resources away from investment programmes by going down the legal disrepair route. In the first instance all repairs should be reported to the council and a reasonable amount of time should be allowed to resolve these, acknowledging that some issues can be more complex to resolve than others. If the resident is dissatisfied with the service they receive, they are encouraged to make a complaint so that the issue can be examined further to both help it get resolved and learn any lessons on what went wrong. If this does not deliver a satisfactory outcome for the customer they are encouraged to go through the Ombudsman complaint service.
21. However, in recent years we have seen a significant rise in legal disrepair claims from customers, the majority of which have not been through the process outlined above. Cases have grown from 4 in 2021 to 59 in 2022 and 65 in 2023. There are a number of legal practices who are proactively contacting our residents and supporting legal claims of disrepair. At present we have around 80 live disrepair claims. Each one is costly and time consuming regardless of the outcome. Cases often require expert reports on both sides, a process of trying to agree common

ground, work by the legal team in preparing cases, responding to correspondence, and attending court. The council hasn't lost a case that has reached court. There have been a number of cases of customers being unsuccessful which can result in significant legal fees for customers. There was one case in 2023 resulting in a customer facing a legal fee in excess of £10k after a failed claim. As such we are continuing to encourage tenants to follow the protocol set out by the Ombudsman of following all reasonable steps in the first instance with legal proceedings being considered very much a last resort.

Damp and Mould

22. Since the tragic death of Awaab Ishak, as a result of a home riddled with mould, there has been a huge growth in awareness and recognition of the health risks associated with living with mould. As a result, the government have introduced Awaab's Law as part of the Social Housing Regulation Bill. It is proposed that the law will cover all 29 HHSRS considerations and not just damp and mould and a recent consultation document has been released covering some of the detail around this.
23. In summary the law is seeking to introduce:
 - timescales for initial investigations of potential hazards;
 - requirements to be placed upon landlords to provide written summaries of investigation findings;
 - timescales for beginning repair works;
 - timescales for completing repair works;
 - timescales for emergency repairs;
 - the circumstances under which properties should be temporarily decanted to protect residents' health and safety;
 - requirements to be placed upon landlords to maintain adequate record keeping throughout repair works.
 - to take account of the vulnerabilities and health circumstances of the occupants of the home with those at greater risk being given a shorter timescale for issues to be resolved.
24. The council has responded positively to the consultation process. We agree that consistency is important in respect of the process for investigating and resolving health and safety issues in order to safeguard our residents. However, we do have some concerns over the resource implications of meeting the new timescales with no additional resources being promised. As a result of the rising awareness of damp and mould health issues and the growing cost of living crisis facing our residents (meaning many homes are underheated), the reports of damp and mould into the repairs team have

grown exponentially in the last couple of years. In the last 12 months we have had over 1000 contacts with customers who have raised issues of damp and/or mould in their property. In taking a proactive approach we have both created a new damp and mould repairs process to support our work and have employed a dedicated officer to investigate these cases. We have a number of homes requiring structural damp and associated works which we anticipate will cost around £20k per home. However, the vast majority of damp and mould reports which have been investigated have not been caused by structural defects and other solutions are found such as advice, support and improved ventilation systems. Information is available for customers on the council website to help reduce the risk of preventable damp and mould and to encourage residents to report issues to the repairs team ([Preventing condensation, damp and mould – City of York Council](#))

25. The damp and mould process that we use is presented at Annex C and will be reviewed following the conclusion of the Awaab's law consultation process and the introduction of the legislation.

Council Plan

26. The Council Plan contains four key commitments around Equalities and Human Rights, Affordability, Climate, and Health. It is considered that the condition of council homes and the service our customers receive is a key component of each key commitment.

Implications

- **Financial** – The Housing Revenue Account is ringfenced and money received from rental income is required to be spent on services which directly benefit council house residents. This ensures budgets are available to continue to repair and invest in council houses but pressures from enforced rent reductions in previous years and inflationary cost pressures have placed a strong need to prioritise investment carefully and ensure services are delivered with high values for money. This report does not propose any changes to existing budget positions.
- **Human Resources (HR)** – There are no HR implications within this report.
- **Equalities** – This report seeks to support some of the most vulnerable residents of this city through the provision of high-quality council homes and associated asset services.

- **Legal** – Not consulted.
- **Crime and Disorder** - There are no crime and disorder implications within this report.
- **Information Technology (IT)** - There are no IT implications within this report.
- **Property** – This report covers a range of issues affecting the maintenance of council homes.

Risk Management

The report does not contain specific risks. However, it should be noted that good repairs and asset management processes and working practices help to support a reduction in health and safety risks for council house customers.

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Specialist Implications Officer(s)

Comments presented by the author of the report. Specialist implications comments not considered necessary for this report.

Wards Affected:

All

For further information please contact the author of the report

Annexes

A- Asset Management Plan 2023-28

B- Repairs Policy -

<https://www.york.gov.uk/downloads/file/2584/responsive-repairs-policy-for-tenants-of-council-properties>

C- Damp and Mould Policy