

APPENDIX 1

Voluntary undertaking – statutory health and safety

Introduction

The London Borough of Haringey has breached parts 1.1 and 1.2 of the Home Standard. The council did not have an effective system in place to allow it to meet its responsibilities in relation to the quality of its homes, and in relation to statutory health and safety compliance across the following areas.

- Fire Risk Assessments and resulting actions.
- Electrical safety inspections.
- Decent Homes

Haringey Council became aware of the potential breach after it undertook a health check of compliance in December 2022, following the insourcing of its ALMO in June 2022. The health check led to a self-referral to the regulator in January 2023 and the regulator's notice that the Council had breached parts 1.1 & 1.2 of the Home Standard and there was the potential for serious detriment to tenants.

The Council understands that this level of under-performance on statutory health and safety was unacceptable and has implemented a range of measures to rapidly improve its position and the safety of its residents. The Council has a detailed plan to recovering compliance in these areas as quickly as possible.

The Council's plan is set out within this voluntary undertaking to comply with legislative requirements and meet the consumer standards for compliance by March 2024.

How we got here

Homes for Haringey transferred back into the Council on 1st June 2022. Through the Governance and Scrutiny processes in place at the time, the Council were concerned regarding the number of overdue Electrical Inspections and overdue high-risk Fire Safety Actions. The Council sought external assistance from Pennington Choices who completed a health check of the Council's approach to meeting statutory health and safety requirements for compliance covering Gas, Electrical, Legionella, Lifts, Fire & Asbestos, in December 2022.

The Council self-referred issues identified on health and safety compliance to the Regulator of Social Housing in January 2023 following the Health Check. The resulting

report was supported by a roadmap with recommendations for wider improvements in compliance management, and an action plan.

The report identified high risk issues related to the volumes, and length of time that Fire Risk Assessments and their actions had been overdue, and the number of properties with no Electrical Inspection Condition Report (EICR) for more than 10-years.

At the same time, Haringey reported that 30% of its homes did not comply with the Decent Homes Standard and that there were more than one hundred Category One hazards outstanding.

Root cause

To understand the reasons for the self-referred problems the Council sought external expert assessment and advice. Pennington Choices Consultancy completed the Health Check review of the Council's approach to meeting statutory health and safety requirements in December 2022.

The Council has agreed 3 key themes as the causes of the poor performance. These themes are the focus of the Initial Recovery Plan and the Rebuilding the Housing Service Plan.

1. Governance.
2. Data quality and lack of a suitable management IT system.
3. Programme management & reporting.

The intended outcome of this plan is to create a credible and effective basis for compliance management and reporting and to ensure effective oversight, scrutiny with appropriate and suitably skilled resources allocated to implement the corrective approach and systems within the required timescales.

The plan includes a review of the governance structure, a data validation exercise, the implementation of a new management system and appropriate use of IT, improvements around contract management, clearer compliance reporting, and training at all levels for those with responsibilities for Building Safety & Compliance. It also addresses the need to move from a reassurance to an assurance culture, to ensure all lines of assurance are transparent, listened to, valued and effective.

The original HRA programme planned to invest £180m in Decent Homes between 2023_2025. The latest plan now has an allowance of c. £80million due to external factors around rising inflation and interest rates etc.

This means that the funding gap of £100m will need to be planned over future years: current indications are that this could be afforded within the existing 5-year plan by 2028 subject to continuous programme review and impacts around future supply chain inflation.

Engaging with the Regulator for Social Housing

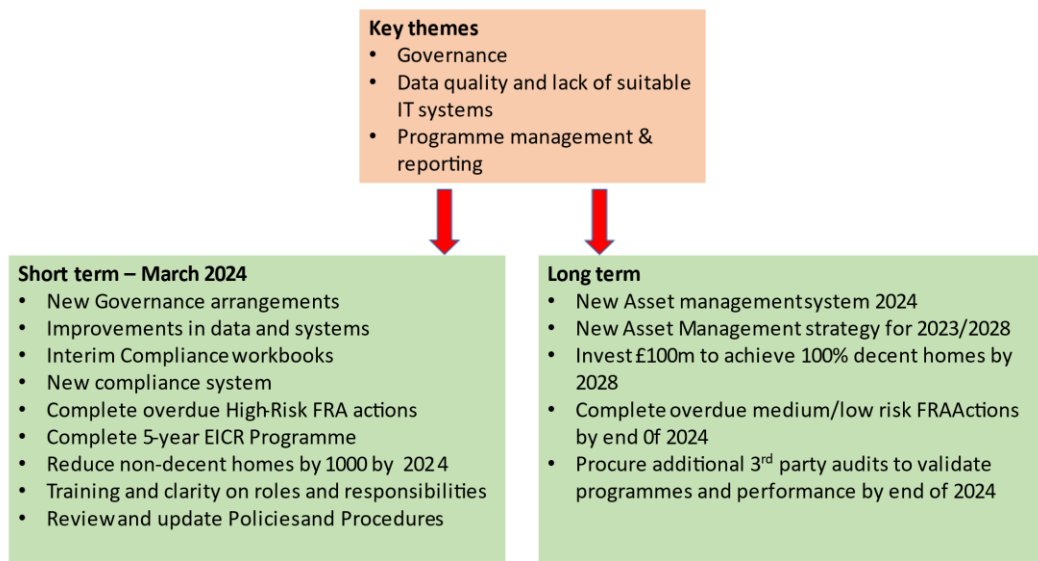
The Council is committed to addressing these failings to make homes safe for tenants but also to tackle the underlying, long-term causes of the failings.

The Council is keen to engage in a positive and constructive way with the Regulator, and welcomes our monthly meetings, during which we share progress against our plans and report on performance.

Implementing the changes

The Council recognises its immediate priorities to comply with the consumer standards and to deliver improved safety for residents, staff, and visitors.

The three key themes will address both the immediate compliance and decent homes positions over the short term, as well as the underlying root causes over a longer period to embed compliant performance. Our commitment in this voluntary undertaking is to deliver an Improvement Action Plan and a longer-term data plan to improve compliance and asset management services and safety.



Improvement Action Plan

The Initial phase Recovery Plan will deliver improved compliance and decent homes, to respond to the regulatory notice. However, embedding all the elements for sustainable health and safety compliance is anticipated to extend over a further period of two to three years. We are currently undertaking the discovery phase on

some elements of this including a review and updating of our Asset Management strategy.

Our short term plan is set out below.

Short term plan	
Commitment	Timescale
Implement new Governance structure	May 2023 (Complete as of 19 May 2023)
Complete backlog of overdue Fire Risk Assessments	February 2023 (Complete as of 28 Feb 2023)
Complete backlog of overdue high-risk Fire Risk Assessment actions	March 2024
Complete backlog of 4046 electrical installation condition reports more than 10-years old.	May 2023 (Partially complete – 466 outstanding due to access issues. Being managed through formal process)
Complete validation of key compliance programme data	August 2023
Update and improve monthly KPI compliance reporting by including additional data recommended by Pennington.	July 2023
Complete backlog of 4236 electrical installation condition reports more than 5-years old.	December 2023
Ensure 1000 homes that were not compliant at the date of our self-referral, comply with the Decent Homes Standard.	March 2024
Review and update Asset Management Strategy	March 2024
Procure and implement new compliance management system.	March 2024

Governance

New governance arrangements as set out below have been implemented to focus on delivering this Undertaking. The Building Safety & Compliance Board and wider governance framework for Housing will ensure that this situation that occurred prior to our self-referral cannot and does not re-occur.

Following the initial period of recovery and upon fulfilling our obligations to the Regulator, an external organisation will complete a thorough review and validation and make appropriate recommendations to the Housing Improvement Board regarding any further improvements and/or future management and/or Governance arrangements.

The Council has restructured its Housing senior management structure, to bring all council housing and property management services within one directorate. All leaders, managers and staff across the landlord functions will benefit from the implementation of building and fire safety responsibility and awareness training over the longer term.

Housing Improvement Board (6-weekly)

Chaired by the CEO and attended by cross-party members and the Executive Team. A progress update is provided by the Operational Director for Housing and Building Safety.

Building Safety & Compliance Board (3-weekly)

Chaired by the Operational Director for Housing and Building Safety and attended by Heads of Service. Progress updates are given by the Head of Residential Building Safety.

Capital Board (3-weekly)

Chaired by the Operational Director for Housing and Building Safety and attended by Heads of Service. Progress updates are given by the Head of Asset Strategy.

Referral Reports (Weekly)

Provided by the Head of Residential Building Safety it includes detailed programme information regarding progress on the EICR, Fire Actions and CO detector programmes (the latter now being complete).

Note: - Monthly progress meetings – whilst under notice

Meetings are attended with the RSH by the Operational Director for Housing and Building Safety and the Director of Placemaking and Housing to reflect progress on improving compliance.

Data quality and management systems

Our health check and internal audit process have identified weaknesses in our data and management of compliance through spreadsheets.

The procurement of a new Cloud-Based compliance management system is underway having been scoped with the latest Building and Fire safety regulations in mind.

We have already undertaken an initial market engagement to understand the interest and range of suppliers and are now in the process of finalising the tender documents to issue to prospective bidders.

The project will involve the following key stages:

- Tender period and award of contract – September 2023
- System development 7 Configuration – December 2023
- User testing and Training – March 2024
- Implementation/Go-live – April 2024

In addition to and ahead of the implementation of the above new system, Haringey have commissioned a Data Validation exercise. Pennington Choices are reviewing the 6 compliance programmes against the full property asset list held in our housing management system. This includes an audit of our carbon monoxide detector installation programme as part of our gas servicing programme.

This data validation will allow for the implementation of interim compliance workbooks to bring the management of the 6 key compliance areas including our carbon monoxide detector installation programme into one recognisable template and format, as well as ensuring a robust and validated dataset that the new compliance system will base future compliance reporting upon.

This validation will also feed into and support our planned review of our data hierarchy and infrastructure which will also align with and support our intention to upgrade our Asset Management system in due course.

Programme management & reporting

Pennington Choices have made some recommendations to improve the awareness of senior management and better contextualise the reports in terms of performance against overall asset liability and responsibility.

This is being addressed through our housing improvement plan and has informed the new Governance structure and reporting implemented in May 2023.

Pennington have also made the following specific recommendations that are integral to achieving compliance in respect of Haringey's breach of the Home standard:

- Develop a detailed catch-up programme project plan, with appropriate milestones, to clearly show how you will achieve the target date. Ensure you also consider properties due to expire throughout the duration of the programme. – Our target for completion of the programme is December 2023. This is reported through the weekly referral report and monitored through the new Governance structure.
- Ensure the FRAs completed by internal fire risk assessors are 100 per cent quality checked to provide assurance around the quality and consistency of FRAs. – This has been implemented.
- Consider allowing all properties on the FRA programme to receive a Type 3 assessment (which includes going into a sample of flats) as a best practice approach. – We are undertaking type 3 assessments to all buildings more than 11m high and to all timber framed blocks of flats and undertaking annual entrance door inspections in line with the Fire Safety Act. Expanding this to all lower blocks will be subject to further evaluation and impact assessment.

In addition to this we are delivering our programme to complete all high-risk overdue fire safety actions by March 2024 and will develop a revised set of KPIs around

Decent Homes as part of the review and updating of our Asset Management Strategy by December 2023.

Decent Homes

Haringey is reviewing the current Asset Management Strategy conducting stock condition data validations to ensure that we are targeting more properties to achieve a combination of building safety, retrofit energy efficiency and Decent Homes measures. There are also plans to implement a new asset management system to help assist with Decent Homes and compliance reporting.

The key change will be that we scale back on the scope of the Haringey standard set out in the 2021- 2025 Asset Management Strategy and our approach will move toward targeting of decent homes failures alongside safety critical works.

The Haringey standard is higher than the government's Decent Homes standard which included items outside of the scope e.g., communal, and environmental improvements which we had planned to deliver at the same time.

The main impact for residents will be that these elements will be carried out later than originally planned and subject to what funding remains after essential items are carried out.

These approaches taken together with the 2023-2024 Major Works programme will see a reduction of 1000 Decent Homes Fails reported for the year. The £100m difference will be invested over the next 5-years, to ensure 100% of homes achieve the current decent homes standard by 2028. During this period, we will continuously review our programme and risks around future supply chain resources and inflation.

Validating the completion of our undertaking

The Council is committed to robustly and transparently dealing with the issues identified, in the short-term and in the longer-term to ensure high levels of performance are maintained. The elected members' Housing Improvement Board and the Building Safety & Compliance Board will monitor progress on achieving the commitments in the Voluntary Undertaking.

However, we also are committed to ensuring total confidence of both our governing bodies and our residents to ensure they are and feel safe in their homes.

To this end we will:

Actions to deliver the VU.

- Provide monthly reporting on progress to the Social Housing Regulator until completion.
- Fully review and update our compliance policies and procedures.

- Engage with residents to understand how safe they feel in their homes, and for our high-rise buildings through implementation of building specific resident engagement strategies.
- Train and develop staff to understand their role and improve the culture regarding safety and compliance.

Actions to test compliance.

- Commission a full external review of our voluntary undertaking once completed.
- Submit a mid-year review and an annual assurance statement to cabinet against the big 6 areas of compliance including compliance with the Smoke and Carbon Monoxide Regulations.
- Continue consultancy support for assurance on progress and completion.
- Continue to assess the risks and issues that may impact on delivery of the plan.
- Continue with internal audits at key milestones across the building safety functions.