

Report for: Cabinet – 22 April 2025

Title: Adopting new Building Safety Compliance policies and an Access for Emergencies, Safety or Welfare Policy

Item Number: 11

Report authorised by: Jahedur Rahman, Director of Housing

Lead Officer: Scott Kay, AD Repairs & Compliance

Ward(s) affected: All

**Report for Key/
Non Key Decision:** Key

1. Describe the issue under consideration

- 1.1 The Council is transforming landlord services for its own tenants and leaseholders. To support that process, the Council is undertaking a full review of all policies relating to its tenants and leaseholders in its role as the landlord.
- 1.2 These new compliance policies outline the Council's approach to managing the building safety of its council housing covering asbestos, electrics, fire, gas and heating, lifts and water hygiene.
- 1.3 The new access policy outlines the Council's approach to obtaining access to tenanted and leaseholder homes (including gardens and other outside areas) when necessary, such as to undertake the Council's obligations regarding compliance, building or fire safety.
- 1.4 This report seeks approval from Cabinet for adoption.

2. Cabinet Member Introduction

- 2.1 Nothing is more important than our resident's safety.
- 2.2 We are committed to ensuring that our 20,000 tenants, leaseholders, and their families live in safe homes where they can thrive. These policies are an important next step in the transformation of our landlord services. They align with our broader plans to enhance housing services for tenants and leaseholders and to improve the quality of our council homes, as outlined in the Housing Strategy 2024-2029 and the Housing Improvement Plan.
- 2.3 These policies help us meet the government's Social Housing Regulator's

consumer standards. They outline the reasonable steps the Council will take to ensure the health and safety of tenants in their homes and communal areas.

- 2.4 The insights and experiences of our residents, particularly through the Resident Voice Board, have played a key role in shaping these policies. This Group, comprising tenants and leaseholders ensures ongoing resident engagement and co-creation in housing policies. I want to express my gratitude to the Group for their invaluable input, which has helped these policies to better reflect the needs of our communities.

3. Recommendations

That Cabinet

- 3.1 Approve the draft:

- (i) Asbestos Safety Policy; Access for Emergencies, Safety or Welfare Policy;
- (ii) Electrical Safety Policy;
- (iii) Fire and Structural Safety Policy;
- (iv) Gas and Heating Safety Policy;
- (v) Lift Safety Policy; and Water Hygiene Policy

at Appendices 1-7 hereto to come into effect from 6 May 2025.

4. Reasons for decision

- 4.1 These newly drafted clear and accessible policies will outline the Council's approach to building safety for Council tenants and for their wider households. The new access policy will confirm the Council's approach to obtaining access to tenanted and leaseholder homes (including gardens and other outside areas) when necessary.
- 4.2 The new policies will help the Council meet the Social Housing Regulator's consumer standards, specifically the Safety and Quality Standard and the Transparency, Influence and Accountability Standard.

5. Alternative options considered

- 5.1 **The Council could continue with current compliance and access policies.** This option was rejected because these current policies are outdated and no longer meet the Council's needs or those of its tenants. Introducing these new policies will assist the Council to meet the Social Housing Regulator's Consumer Standards, particularly the Safety and Quality Standard requirement. This option would also not meet our commitment to introduce updated policies in the Housing Strategy 2024 – 2029 and the Housing Improvement Plan 2023.

6. Background information

- 6.1 In June 2022, the Council brought most of the landlord and housing services back in house that had been run on its behalf by Homes for Haringey, its

Arm's Length Management Organisation. The Council immediately began a process of reviewing that service provision and in April 2023 Cabinet adopted a comprehensive Housing Improvement Plan backed by significant financial investment. Amongst many other commitments, that plan committed to reviewing housing policies including those covering building safety.

- 6.2 The Regulator of Social Housing's Standards requires that Registered Providers of Social Housing (RPs) must demonstrate that they understand the following:
- a. The Safety and Quality Standard requires RP's to take all reasonable steps to ensure the health and safety of tenants in their homes and associated communal areas.
 - b. The Transparency, Influence and Accountability Standard requirement to deliver fair, reasonable, accessible and transparent policies
- 6.3 The Council has included thorough research into best practice in social housing, and engagement in an interactive process of policy development with key stakeholders across the Council. Council officer service leads from building safety, communications and tenancy management were all involved in the development of these policies. Council tenants and leaseholders were engaged in the design of the policy's content as part of the new resident engagement structure, which is overseen by the Resident Voice Board (RVB). The RVB is the resident forum that assists the Housing Service by providing strategic influence on customer-facing housing strategy and policy as well as giving a resident perspective on the quality of housing services with the aim of improving customer satisfaction and organisation performance (housing services).
- 6.4 The RVB inputted to developing the policies from an early stage with broad outlines and approach agreed in September 2024 by residents. Proposals for the policy were well-received and generated a range of feedback and recommendations that have been incorporated into the policy. This included confirming the following point:
- For the Fire and Structural Safety Policy, residents told us that when designing in fire safety measures we should consider the resident's needs and specific requirements. As a result, the Fire Safety Policy commits when designing in fire safety measures, (if we're made aware), to assess if technical solution can be found e.g. working with Domestic Abuse victim/survivors to meet health and safety needs.
- 6.5 In February 2025, the RVB reviewed and provided feedback on the newly developed policies including the following points:
- The title of the Access policy should be clearer to clarify that it's about accessing tenants' homes and the communal areas for emergency, health and safety reasons, to conduct a stock condition survey, a standard welfare check, tenancy audit or usual annual inspections
 - How to ensure residents understand fire safety messages e.g. translation services

- Being clear that hazardous items can't be stored in garages – garage allocations policy
- The need to keep tenants, leaseholders and their tenants informed about building safety requirements

Key provisions of the draft Building Safety Compliance policies

- 6.6 The aim of the draft policies is to detail the Council's commitment to having the relevant measures in place to comply with our legal, regulatory and guidance building safety obligations.
- 6.7 All the policies form an integral part of the Council's wider corporate commitment to create and maintain a health and safety culture amongst our staff and contractors as outlined in our Corporate Health, Safety and Wellbeing Statement and Policy.
- 6.8 The policies are all set out in similar ways to promote accessibility, delivery and understanding. For example, each policy has a section on key roles and responsibilities for both the Council and tenants and leaseholders. This details the roles of the Cabinet, Chief Executive, Directors, Assistant Directors, Heads of Service, Managers, Supervisors, all Employees and Contractors.
- 6.9 Each policy also has common themes with a chapter that outlines the Council's approach to the relevant compliance subject including on:
- how visits to vulnerable tenants and leaseholders will be carried out
 - commitments to communicate messages about compliance to tenants and leaseholders
 - outlining the testing, repairs and maintenance programme
 - the approach to ensuring staff receive the necessary levels of training
 - confirmation that data and records will be stored on a comprehensive digital register
 - the requirement to access council homes for testing, repairs or maintenance
- 6.10 A commitment to ensure compliance with the relevant legislation, regulations and guidance for each compliance area is also covered in all the policies.

Asbestos Safety Policy

- 6.11 Outlines that the Council will effectively manage all asbestos across its council housing and reduce asbestos related risks to the lowest level reasonably practicable.
- 6.12 The approach to managing asbestos safety section:
- Confirms that the council will take general asbestos precautions
 - In practice, this means taking steps to prevent the exposure to Asbestos Containing Materials (ACMs) of any tenant, leaseholder, employee, visitor or contractors in or on its council housing as far as reasonably practicable.

- Outlines the Council's approach to carrying out asbestos surveys and risk assessments
- Commits to keeping an Asbestos register up to date.

Electrical Safety Policy

- 6.13 Outlines a focus on minimising electrical risks as far as reasonably possible
- 6.14 The approach to managing electrical safety section:
- Details the Council's programme of electrical installation, inspection and testing of all domestic and communal areas to ensure they are safe to use. This also highlights the aim to repair electrical defects identified during inspections.
 - Provides details on the approach to checking smoke detectors, automatic doors, barriers, gates and emergency lighting.

Fire and Structural Safety Policy

- 6.15 This policy underpins the Council's Building Safety Strategy 2024-2028 objectives for achieving suitable and sufficient measures for fire and structural safety in its council housing, in accordance with current legislation.
- 6.16 The approach to managing fire safety section:
- Outlines the Council's responsibility for carrying out fire risk assessments and preparing action plans.
 - Explains the purpose of the assessments are to identify, manage and mitigate risks associated with fire within the common areas of its council housing.
 - Provides further details about how the assessments are conducted including their focus and frequency.
 - Details the approach to fire evacuations with the main point being that all tenants and leaseholders will be informed about the Council's fire safety guidance for their block.
 - Covers the approach to conducting Person Centred Fire Risk Assessments in a section on vulnerable tenants and leaseholders
 - Confirms the expectation that communal areas are kept clear in line with the Council's Clear Communal Areas policy.

Gas and Heating Safety Policy

- 6.17 Outlines the suitable and sufficient measures the Council will take to deliver for gas and heating safety in its council housing
- 6.18 The approach to managing gas and heating safety section:
- Details the Council's programme of annual inspections, testing and maintenance of all gas, renewable energy, and solid fuel heating

systems and fixed equipment, including heat interface units within its council housing.

- Highlights the robust process in place for the management of immediately dangerous and at-risk situations identified from the gas/heating safety check or heating repair work.
- Confirms that the Council will not cap/disconnect gas supplies in tenanted properties unless there are limited health and safety risks to not doing so.
 - It also notes that any capping decisions would be authorised by an Assistant Director in Housing Services with temporary electric heaters provided at the time of capping if necessary.

Lift Safety Policy

6.19 Outlines the Council's approach to ensuring that all passenger lifts, specialist lifting, equipment, hoists and stairlifts within its council housing are properly managed and operate safely

6.20 The approach to managing lift safety section:

- Outlines that all lifts installed by the Council in its council housing will be fully accessible for disabled users in line with legislation and regulations
- Confirms that the Council will maintain a call-out service 24 hours per day, 365 days a year, for all tenants and leaseholders and the Council's response to lift breakdowns and entrapment incidents.
- Outlines that two lifts will always be available for high rise buildings.

Water Hygiene Policy

6.21 Confirms that the Council will take all reasonably practicable steps to prevent exposure to legionella bacteria from its water supply

- Outlines that Legionella risk assessments will be conducted at a maximum of 2 years
- Explains that any risks from the Council's water systems will be removed and reduced through responsive and planned improvement programmes.

Key provisions of the Access for Emergencies, Safety or Welfare Policy

6.22 Outlines the Council's approach to obtaining access when required to:

- Tenant + leaseholder homes (including gardens and other outside areas)
- The communal parts and or areas that are limited to access only (e.g. riser cupboards and communal lofts) in its buildings when required.

6.23 Explains when the Council may need to access (e.g. emergency, building or fire safety, surveys, possible breach of tenancy).

6.24 Details resident responsibilities (tenancy agreement and lease) to provide access when requested.

- 6.25 Highlights the actions the Council will take when access is not provided after reasonable requests e.g. asking the courts for an injunction to allow access into the property.
- 6.26 The policy also confirms that in line with the Tenancy Agreement, where a reasonable request for access has been made, and where access has been withheld or obstructed, tenants must pay the Council the reasonable costs of gaining entry to a property including the reasonable costs of court proceedings if they are necessary.

7 Contribution to the Corporate Delivery Plan 2024-2026 High level Strategic outcomes'

- 7.1 The recommendations in this report will support the Corporate Delivery Plan's theme 5, "Homes for the Future", and in particular its commitment to provide reliable, customer focused resident housing services and to undertake a full review of all policies relating to our tenants and leaseholders in our role as their landlord.
- 7.2 The recommendations in this report will also support the 2024-2029 Housing Strategy's second strategic objective, improving housing quality and resident services in the social housing sector, in particular commitments around transforming services to our tenants and leaseholders, and designing those services with them.

8 Carbon and Climate Change

- 8.1 The recommendation to adopt these new policies supports delivery of the Council's Climate Change Action Plan and becoming a net zero carbon borough by 2041 through commitments to improve building and fire safety of our council housing.

9 Statutory Officers comments (Director of Finance (procurement), Assistant Director of Legal and Governance, Equalities)

Finance

- 9.1 These policies underline the Council's commitment to the health and safety of staff, residents and contractors.
- 9.2 These will help the Council meet all the necessary regulatory standards and requirements.
- 9.3 The cost of drafting these policies is met from existing HRA revenue budget; and the approval of the policies on their own, does not lead to additional cost.
- 9.4 Any cost implication as a result of the implementation of these policies will be assessed; and will be subject to the normal governance process.

Assistant Director of Legal & Governance

- 9.5 The Assistant Director of Legal & Governance has been consulted in the drafting of this report and comments as follows.
- 9.6 The Council is subject to a framework of statutory and contractual duties in relation to its buildings and their occupants detailed in the policies the subject of this report. It is in addition subject to standards set by the Regulator of Social Housing.
- 9.7 The policies set out how the Council proposes to comply with those duties; and, in the case of the Access for Emergencies, Safety or Welfare Policy, to balance the necessity that it does so against the rights and expectations of its tenants and leaseholders to be secure in their homes.
- 9.8 The body of the report, and the policies themselves, set out the engagement that has taken place between the Council and its leaseholders and tenants in the formulation of these updated policies.
- 9.9 There is no legal reason why Cabinet should not adopt the recommendations set out at paragraph 3 of this report.

Procurement

- 9.10 Strategic Procurement were consulted in the preparation of this report.
- 9.11 Strategic Procurement note the recommendations in section 3 of this report are not procurement decisions.
- 9.12 Strategic Procurement have no objections to the recommendation of this report.

Equality

- 9.13 The Council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
 - Advance equality of opportunity between people who share protected characteristics and people who do not
 - Foster good relations between people who share those characteristics and people who do not.
- 9.14 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex, and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

- 9.15 Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.
- 9.16 The policies considered here will apply to Council tenants. Haringey Council's tenant population shows the following characteristics compared to the wider borough population:
- a significantly higher proportion of young people (under 24) and older people (over 50).
 - a significantly higher proportion of individuals who have a disability under the Equalities Act.
 - a slightly higher proportion of individuals who report their gender identity as different from sex registered at birth.
 - a significantly lower proportion of individuals who are married or in a registered civil partnership.
 - a significantly higher proportion of individuals who identify as Muslim, and slightly higher proportion of individual who identify as Christian, Buddhist or another religion. This is countered by a significantly lower proportion of tenants who don't associate with any religion or identify as Jewish, Hindu or Sikh.
 - a significantly higher proportion of female individuals.
 - a significantly lower proportion of individuals who report their sexual identity as something other than Straight or Heterosexual.
- 9.17 The Building Safety Compliance policies and Access for Emergencies, Safety or Welfare Policy confirm that:
- The policies have been prepared in line with the Council's Vulnerable Tenants and Leaseholders policy
 - When the Council need to carry out building safety work in the home of a vulnerable resident, we provide our officers or external contractors with clear instructions about any specific requirements for how that visit should be carried out. This is in line with the Council's Vulnerable Tenants and Leaseholders Policy.
 - The Council will provide building safety and access information in plain English with a simple, accessible and jargon-free style and ensure that translation and interpretation is provided where possible/when necessary.
- 9.18 The Building Safety Compliance policies and Access for Emergencies, Safety or Welfare Policy make no changes to operational practices and are being updated to reflect the insourcing of the council housing function. The proposed policies are not anticipated to have impacts on groups that share the protected characteristics or other disadvantaged groups.

10. Use of Appendices

Appendix 1 — Asbestos Safety Policy

Appendix 2 — Electrical Safety Policy

Appendix 3 — Fire Safety Policy

Appendix 4 — Gas and Heating Safety Policy

Appendix 5 — Lift Safety Policy
Appendix 6 — Water Hygiene Policy
Appendix 7 — Access for Emergencies, Safety or Welfare Policy

11 Background papers

- **Haringey Building Safety Strategy 2024 – 2028**
<https://haringey.gov.uk/sites/default/files/2024-10/building-safety-strategy-2024-28.pdf>
- **Haringey Housing Strategy 2024 – 2029**
[https://new.haringey.gov.uk/sites/default/files/202405/haringey_housing_strategy_2024 - 2029.pdf](https://new.haringey.gov.uk/sites/default/files/202405/haringey_housing_strategy_2024_-_2029.pdf)
- **Housing Services Improvement Plan**
<https://www.minutes.haringey.gov.uk/documents/s138660/Appendix%201.pdf>