**Tenant & Leaseholder Scrutiny Group**

**Saturday 16th September 2023, 9:00am-1.30pm**

**Sandwell Council House**

**Chair – Phillippe Brown**

**Minutes**

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| **Circulation:****Scrutiny Members** |  |  |
| Ahmed AbdulrahmanAlison AllenAnthony AverisPhillippe Brown **Sandwell MBC** | Shenelee BrownStembile Mhlanga | Shefa NessaAynols ReidSue SmithDelroy Thomas |
| Marianne Monro (Support Officer)Nigel Collumbell Phil Deary Sarah Ager  | Yvonne Willetts (Minute Taker) | Christine Davis |
| Christine Davies**Apologies:** Ellen Fenton |  |  |

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| **Items for Discussion** |
| 1. | Introduction to Formal Meeting * Chair welcomed everyone to the meeting. Formal introductions were made
* Apologies from Cllr Ellen Fenton
* Chair ran through the agenda
* The minutes from meeting 17th June had previously been circulated. No amendments were requested. Minutes agreed
* The action log was reviewed and updated
 | Chair |
| 2. | Declaration of Interest* No declarations of interest recorded
 | Supporting Officer MM |
| 3.3.13.23.2.13.2.23.2.33.2.43.2.53.2.63.3.13.3.23.3.33.3.43.3.53.4 | Quarterly Performance ManagementAsset management Data* Asset Management data is produced quarterly, and this can be shared with the group
* The reports can be tailored to include data the group would like to see
* The summary of the key performance indicators was discussed
* The number of homes that do not meet the Decent Homes Standard is not yet known
* External surveyors have been commissioned to do the stock condition survey
* The surveys will start at the end of the year and initially 5000 properties will be surveyed over the next 12 months
* Interviews are taking place week commencing 18th September to recruit a new person to oversee the stock condition piece of work
* The other KPIs were looked at but the targets are likely to change to benchmark with other local authorities
* These should be in place by quarter 2 and should provide more meaningful data

Compliance Data* The performance figures relate to those prepared for the Regulator of Social Housing and refer to the Big 6

Gas safety * Currently 99% of the properties have certificates with around 200 left to do
* The aim is to approach properties at 44 weeks to retain the 12-month date
* If that is not responded to SMBC will start legal proceedings to gain access, this can take up to 6 months
* Other local authorities - Birmingham enforce entry on the date of the anniversary without legal proceedings
* Work is being done with the Legal team to change the date at which legal proceedings can be started
* If the current policy is retained, full compliance could not be achieved

Questions:The lead time for gas safety checks is eight weeks, could this be reduced?* If the time were reduced it would not give much time to rearrange appointments if there are access issues
* One contractor pulled at because there is no profit for them if they are not able to access properties
* A second contractor may be employed or further use of internal resources
* Communications are being sent to tenants stressing the importance of safety checks
* Gas safety checks are being linked to Home Checks in terms of identifying issues around non access
* Stopping other work until the safety check has been done is being considered as a sanction

Electrical safety:* There is currently no statutory obligation for these checks
* Analysis last year found that there were thousands of properties over 10 years
* The plan was to resolve this by December 2022, but this was not achieved
* Full compliance is anticipated by April 2024
* Currently just over 90% compliant and the main issue is access
* There is no legal enforcement as with gas, but access can be gained on the grounds of safety

Fire safety: * Performance states that every building must have a risk assessment
* High rise buildings will be renewed every year and low rise every three years
* None of the fire risk assessments were achieved for August due to resources being used in other areas
* This will be corrected and by October 100% compliance will be achieved
* Following assessment, any remedial work will be completed within a specific period
* If the work is not completed it may lead to non-compliance of the Decent Homes standard

Lifts* A certificate is required by the insurance company ensuring that lifts are well maintained
* Three lifts are currently out of order – single lift properties are an issue
* An independent company is to carry out a review

Asbestos* Refers to asbestos in communal areas
* If asbestos is stable and does pose a threat it will not be removed
* Asbestos is safe if it is managed and not disturbed

Water Hygiene* There is an issue with stored/ static water around legionella
* Water droplets in the air can cause chest infections
* One building had legionella and it took four months to remedy

QuestionsWhat are the arrangements for gas and electrical checks for working tenants?* Gas safety checks are carried out six days a week. This service is not currently offered for any other areas
* There is a call out service which have a three-hour period to cover appointments from the day
* The inspection teamwork out of hours and will complete jobs on their way home
* First time fix is a performance indicator and should minimise visits
* Most complaints are around repairs not fixed on the first visit or if the operative does not turn up
* Sometimes operative do not turn up and this may be due to work pressures
* The number of appointments that are changed and the reasons will be looked at
* The culture within Repairs is changing -There will be more visibility and officers will be more accountable
* The pilot is to be extended
* Feedback will be given to the group on progress

It was thought that the culture within the council is that all tenants are on benefits and do not workIs data being collected around whether a general out of office service is needed for working tenants?* A lot of consultation has been done with residents and most people think that the council do a good job.
* There is no evidence that an out of office service is necessary
* The current system is flexible enough to allow out of hours work
* Any change would be a significant change to individual contracts
* If a 24-hour service is offered, it would come at a cost
* Data shows that access is gained most of the time
* The system does not capture the reason for non-access
* There are no particular groups identified as not cooperating regarding access
* There may be underlying reasons for lack of access – there are flags on the system to identify groups e.g. people with mental health issues.
* Each department has their own records for GDPR, but data can be shared on individual cases for safeguarding reasons

Are markers held against individual names?* This depends on the nature and number of incidents
* In the case of serious threats, a marker is put on straight away
* Written notification would be sent to tenant responsible
* Flags for violence can be reviewed and removed. The review period may differ for the various service areas across the council

Why is there a safety check and then a further inspection?* Inspections are not obligatory; they are to help the Council monitor the quality of work of contractor
* There are Key Performance Indicators (KPIs) that contractors must comply with, and work is ongoing around the quality of their work
* PD to look at the process around how checks are monitored

Are tenants aware that there is asbestos in buildings?* There is a document showing where asbestos is present, and this can be shared with the group
* A leaflet was also sent, with other literature, showing where asbestos is located
* There are no specific details for tenants, but operatives would have details and contractors also have a list

Tenant Satisfaction Measures (TSM)The TSM dashboard was shared with the group. It includes some of the performance measures covered earlier under Asset Management and Building Safety* Complaints have not been responded to as quickly as possible
* The number of complaints per 1000 properties is lower than the benchmark with other Local Authorities
* Tom Hogan is the Head of Customer Experience – he is redesigning the process for how complaints are resolved
* There may be opportunities for the group to support Tom as part of a task and finish project.

Action: Nigel to speak to Tom about TLSG involvement in redesigning the complaints process and report back* The Tenant Auditors will be carrying out an audit of repairs complaints
* The group was asked how they would like to see performance data
* Housemark data shows all results against others
* A specific document could be prepared to share with the group
* The Housemark quarterly data can be shared with the group who can decide if it covers everything, they want to see
* A deep dive can be done for specific areas
* Housemark show SMBC as part of the benchmarking club and does not include all landlords.
* SMBC is compared with landlords with over 10,000 properties
* There is not a league table, but SMBC is not the top performers against a range of measures

Action: Nigel to forward Housemark data to the groupQuestionsIs there a target deadline for Decent Homes?* There is a contract for 5000 surveys to be carried out over the next 12 months
* Going forwards checks will be done on a 5-year rolling basis and will cover all stock
 | Sarah Ager Phil DeeryPhilNigel/PhilNigel |
| 4 | Update on Director of Housing Appointment * Gillian Douglas left SMBC on 9th September to start a new role
* Shokat Lal (Chief Executive) is considering different structure options
* He will be carrying out a restructure soon moving to a model of fewer directorates reporting to three Executive Directors
* The consultation period for directors is in progress
* An interim Director of Housing has been appointed and Dean Epton will be in post until March 2024
* He will be looking at priorities for the next six months
 | Nigel Collumbell |
| 55.1 | Update on Damp & Mould as - at 1st sept * Damp and mould have been an issue for many years, there has been national focus since the death of a child last year
* Damp and Mould have been listed as a Cat 1 hazard by the Housing Health & Safety rating system
* There are specific definitions the damp and mould must occur in kitchens, bedrooms and living rooms to be classed as Cat 1
* Mould in the other areas of a property would be classed as Cat 2
* The HHSR standard has been used to categorise SMBC properties
* As of 29th August 2023
* 1674 properties were surveyed
* 511 were classed as Cat 1
* Fungi wash appointments were made for all Cat 1 properties to clean mould and remove the immediate hazard
* Ventilation and adequate heating will help to reduce the occurrence of damp and mould
* Not all instances are caused by poor ventilation there are cases where the damp and mould are the result of an undetected leak
* Messages need to go out to residents advising how they can live in their properties and prevent instances of damp and mould
* A module has been introduced into the Job Manager system to automate the reporting process
* There are not enough resources for a dedicated damp and mould team. The team is virtual with members pulled in from other areas
* A standard operating procedure has been drafted
1. Deal with the hazard first
2. Follow up with prevention
* Technical and financial support can be offered
* Most cases will be dealt with as business as usual with only the exceptions passed to Phil’s specialist team
* £15m has been given to the West Midlands Combined Authority area – this will be divided between the seven Local Authorities
* SMBC has been allocated £2.1m to address
* Damp and mould
* Leaks
* Soil stack replacement
* Ventilation
* Specialist damp prevention work
* Internal monitoring – properties can be monitored remotely

Questions:What is happening with blocks – Hampstead House is covered in algae and some buildings are damp?* Work is being done with residents around proper insulation, ventilation, and heating to resolve any damp issues.
* The blocks are a separate issue, to treat the algae the blocks need to be jet washed, re-rendered and repainted.
* The rules since Grenfell state that nothing can be added to blocks unless it is proved that materials are fully fireproof
* If this is not done the building cannot be certified as safe and SMBC would not be compliant
* Different solutions are being considered
* Take the risk of non-certified external systems on buildings. This would mean noncompliance
* System could be fully tested but this would be extremely expensive
* Remove the render systems and reclad buildings at a cost of £45m

Can the fire-resistant products be added at the point of manufacture? * This has not been researched and the issue relates to existing properties
* Options are being looked at and they are all expensive
* Existing stock is the priority as Decent Homes must be achieved
* Part of the retrofit assessment is a damp and mould inspection – the assessors must be satisfied that nothing put in the property will exacerbate the issue
* Engaging with specialist companies such as Mouldex to learn what they are doing to ensure that properties stay mould free as per their guarantee
* There are no targets for damp and mould as the ultimate target is zero tolerance
* The root cause of damp and mould is identified and treated, followed with constant contact with the resident so that any repeat issues can be acted upon sooner

Are there any guarantees in place to ensure new build properties do not suffer from damp and mould?* Damp and mould do not tend to be an issue in new build properties because of better insulation
* Ventilation may need to be adjusted to counterbalance the improved insulation
* There is a lot of industry learning about technologies – the impact of products installed is not yet known and issues may arise down the line

Housing Disrepair* Housing disrepair claims used to be handled by a private company on behalf of SMBC
* The transfer started last May and in September last year 70 cases were accepted
* Currently there are 250 live cases
* An interim solicitor is working with the council
* Claims for disrepair will not be accepted until the enquiry has gone through the complaints process
* If the council has not been given a chance to fix an issue, there should not be a cause for claim
* Compensation should however be paid where SMBC are at fault
* The plan is stopping claims coming in by fixing repairs on time and seeking advice on the exceptions where this has not been possible
 | Phil Deery |
| 6.6.16.26.3 | Update on Stock Condition survey*Stock Condition Survey** The tender went out to achieve 14,000 surveys
* There was only one offer
* There are not enough trained surveyors to do the work
* The new figure for 5000 surveys was tendered and four bids were received
* Energy efficiency was included in the package
* A 12-month contract was offered and Rapleys accepted
* It will cost £200,000 to do the surveys

High Rise Survey* Data around the high rises has been input to the Government system
* There is poor data for the high-rises, and it is heavily reliant on paperwork
* Rapleys are being considered for a commission to do a sample survey to ensure that the buildings are as expected

Reinforced Autoclaved Aerated Concrete (RAAC)* The are 500 non-traditional properties amongst SMBC stock
* They were built in the 50s and were designed to last 30 - 40 years
* The non-traditional properties were surveyed in 2005 to assess condition
* It was found that concrete was not the issue in these properties, it was the steel
* They were treated and should be safe for another 30 years
* It is believed that there are RAAC buildings within the stock, but the survey will give assurance
* The physical surveys are about to start, and EPC will be included
* Highrise and RAAC will be in addition to the 5000
* Properties advertised with an old EPC rating of D – F will be targeted first (around 150 properties)
* The aim is to achieve the highest possible rating, all properties must have C rating by 2030
* Decent Homes require a C rating
* Social Housing Decarbonisation Fund specially targets energy efficiency
* SHDF (Social Housing Decarbonisation Fund) Wave 2 is currently being used for 140 properties
* 650 properties are being targeted for SHDF Wave 3
* Going forwards there is the possibility that SMBC could employ directly to do future surveys

Recruitment of Surveyors* Technical qualifications are required for anyone carrying out stock condition surveys
* There is a post available for a trainee surveyor and a trainee fire risk assessor

Action: When the opportunities become available Phil Deery to forward to the TLSG so that the roles can be advertised in the community  | Phil Deery |
| 7. | Update on PEEPS (Personal Emergency Evacuation Plans) * Following the events at Grenfell there was a lot of commentary around people with vulnerabilities and disabilities and what the landlord did to support them prior to the disaster
* Consultation was sent out by the Government regarding PEEPs
* The paper stated that
* landlords should not rely on the emergency services when creating PEEPs – they should be independent of the fire service
* It suggested that landlords should engage with other residents as a support network for vulnerable people
* When incidents occur the fire service deal with them without communicating with landlords (SMBC). They take control and make decisions. The priority for the fire service is to stop the fire and they may not notify the Council until several days later
* A complication might occur if a service from outside the borough is called in for additional help – they would not have access to data
* Neighbours may not be available for various reasons
* Further consultation was done around Emergency Evacuation Information sharing with the landlord and other interested parties knowing who is in the building
* SBMC agree that residents need to live safely in their homes and need them to engage and advise of any issues
* Housing is committed to creating a resident engagement strategy
* 49 of the 52 blocks have had a resident engagement session of some kind
* Part of this was a questionnaire prompting people to state how they would get out in an emergency
* This is also part of the Home Check process
* This has generated 164 referrals – most of these have not been responded to due to lack of resources
* This is being revisited to work out how best to feedback to residents. This will be a collaborative effort, with Home Checks used to relay messages
* There have been concerns raised by residents in houses as well as high-rises
* If the fire is not in their home, then the safest place for residents is in that flat
* This needs to be communicated clearly and residents have also been offered a walkthrough of their buildings having the safety factors explained
* Inspection of the high-rise stock safety measures was previously every two years; this has been increased to annually
* The Council are not able to evacuate buildings, the fire service is looking at the process and SMBC is working with them.
* The group expressed concern that that there is no mechanism in place for the fire service to notify the council, in real time, when fires occur
* A project is being considered where CCTV is installed in all stock with the controls and monitors at Roway Lane
* There are constant conversations with the fire service and a meeting is scheduled for w/c 18th September
 | Phil Deery |
| 8. | Update on Tenant Satisfaction Survey* An annual tenant survey is now mandatory
* Most of the questions on this year’s survey are the same as last year, with some additional mandatory questions
* Acuity have been contracted to carry out the survey for a minimum of two years and the contract could be extended for a further two
* They have a background in this type of survey and the cost will be £23,000 per year
* There will also be a leaseholder survey this year and further surveys will take place every two years
* People will be contacted at random
* Fieldwork is currently underway and consists of online and phone calls
* Online work started 21/08/2023 and telephone 04/09/2023
* More surveys will be done over the phone based on feedback from the survey company
* Details are on the website and include a summary of actions from last year
 | Nigel Collumbell |
| 9. | Update on Home Checks* The number of home-checks completed is 4952 which is 16% of tenants
* All checks to be completed within 3 years
* The target is 2000 properties per quarter, only half of these have been done – this has been due to lack of resources
* Homes with damp and mould will be prioritised
* The number of homes where a check has been attempted but not completed is 815 of these 77 were no access
* There is currently no data to explain why checks were attempted but not completed. The reason for non-access will not be known until access is gained.
* Work is being done to build reports through the Housing Management System otherwise reports can be done manually.
* There have been positive results from home-checks with referrals to
* Welfare rights
* Money advice
* Hoarding issues
* Repairs

Questions:Home checks generate work, are there enough officers to deal with this?* There are officers to cover home services, but more admin staff is needed
* No further recruitment is due to take place – on boarding and training is being completed from the recent restructure
* Work is being done to automate services to help release capacity
* There are around 30+ Housing Service Officers with 800 homes per patch

Is there data available around when the council cancel or rearrange appointments?Action: NC (Nigel Collumbell) will check if this data is available* During Quarter 1. 1100 checks were carried out and 200 were brought forward from last year
* The aim is to complete 9000 checks per year
* Copies of the home-check report is available on request
 | Nigel Collumbell |
| 10. | Update on Housing Services for working tenants’ needs * Arrangements for working tenants was covered earlier at 3.3.2
 | Phil DeeryNigel Collumbell |
| 11. | Consumer Regulations * There have always been consumer standards for landlords
* Housing Regulators have issued a new set of consumer standards
* Consultation began a few weeks ago and will be open until 17th October`
* Details are on the Government website
* SMBC will be sending a response as a landlord
* The old standards have been reduced from six to four including
* Safety and Quality
* Transparency, influence, and accountability
* Neighbourhood and Community
* Tenancy

Action: Chris will circulate a link to the group who will look at this collectively and submit a joint response | Nigel Collumbell |
| 12. | Annual Report 2023 update * The Annual Report has been published
* At the last meeting it was reported that the draft shown to the TLSG was not open to any further changes and was with the graphic designers
* The draft was signed off by an editorial panel including a tenant representative
* The draft however was changed at the last minute as the Comms Team did think that the quality was appropriate
* The changes were made without consultation due to time constraints
* The final report was not of the best quality
* The online version has since been amended but the paper report has not been changed
* The lesson learned is that report may not be ready for launch at the Tenant Conference as this causes additional time pressures
* Going forward the delivery of the Annual Report will be business as usual and managed by Tom Hogan

Members of the group were disappointed that their work had not been acknowledged in the report* NC apologised for the outcome of the report and took full responsibility

The apology was accepted.* It was suggested that there should be a representative from the TLSG should be involved with production of the report going forward
* A member of the group could be part of the editorial panel
* Printing of the Annual Report is outsourced, and printers need to be made aware of priorities

A member of the group remarked that there were no opportunities to ask officers questions at the conference.* There was consultation with many tenants prior to the conference
* There were opportunities for tenants to pose questions in smaller groups around specific areas
* Questions were posed to officers present by individual tenants
* This was the first conference for many years and has been a learning experience which can be built on for next year
* More time can be dedicated to questions at future meetings

Overall, it was felt that the Conference was a success, but the group were disappointed that more tenants did not attend.In future more notice could be givenChris Davis to provide a hard copy of the report to the Chair | Nigel Collumbell |
| 13. | Community Involvement Tenant Audit Programme* Recruitment took place over the summer to increase the number of Tenant Auditors from 5 – 10
* The final number is now 12
* Not everyone will be involved in every audit
* There were 29 recommendations as a result of the tenant audit around fire safety in high rise blocks
* A meeting is scheduled next week with Building Safety & Compliance team to discuss these
* The next audit will be Repairs Complaints – this is being scoped and is due to start in October
* Work is also being done with the council to develop Terms of Reference for the group

Building Safety Working Group* Officer group continues to ensure that SMBC is ready for implementation of legal requirements
* SCIPS are working with the board to recruit a resident board member who preferably lives in a high-rise block

Building Safety Board* Consultation has taken place with tenants in all high-rise blocks
* Around 48 blocks have been completed
* Response rates have been reasonable
* The plan is to develop an individual strategy for each block
* There will be a core strategy and then, in consultation with tenants, each block will have its own tailored strategy
* Engagement with residents will be on-going throughout development of strategies
* These need to be in place by April next year

Task and Finish Groups* All partnerships were involved in promoting Borough of Sanctuary consultation

Tenant Conference * A report has been put together by Chris Davies
* This will be presented at DMT and Chris with report back any actions to the group
* Some aspects are around culture
* Chris to meet with the Comms team to find the best way to share the good work being done around engagement
* Residents to be involved in the communications channels

Tenant & Resident /Community Groups - delivered by SCIPS* SCIPS continue to engage with the 13 active Tenant & Resident groups across the borough
* They offer support to a range of organisations including advice and training

Other Tenant and Resident Activity* The team have been busy supporting various projects
* They have also helped families access digital equipment donated by West midlands Combined Authority (WMCA)

Upcoming Activity* The Partnership team will be supporting Safer 6 commencing in October 2023
* They will support tenant consultation on the Asset Management Strategy
* They will be working with tenants and residents on developing communications channels
 | Chris Davies |
| TLSG Members Business |
| 14. | Feedback on Bespoke Training Development* Bespoke assertiveness training Is due to take place in December
* Questionnaires were sent out and the responses have been distributed to individuals
* Members are to scrutinise and check that the comments correctly reflect them
* The group are to decide if they want to discuss feedback collectively
* Training will be based on real life situations
* The bespoke training would be scheduled during November on a Saturday, 25th November
 | Marianne Monro  |
| 15. | Feedback on TLSG Evaluation  * The TLSG have requested external evaluation
* The evaluation is to assess whether the group are value for money
* The group wanted to confirm that they are operating along the right lines. They wanted external comment on the partnership with the council
* TPAS have confirmed that they can support this work
* The Terms of Reference and code of Conduct will be shared with Emma Gilpin at TPAS
* The review will begin November 2023 and be completed by January 2024
* The evaluation should take between four and 5.5 days
* Emma Gilpin to observe the meeting scheduled for 18th November
* She would then like a session with the group giving members the opportunity to share any thoughts
* The group decided that the meeting on 18th November could be in person, the follow up could be on Teams
* Council officers to be included in the process for an indication of officer views and for transparency
* The group were happy with the proposal
 | Marianne Monro  |
| 16. | Feedback from SNAC (Safer Neighbourhoods and Active Communities) * Cllr Fenton gave apologies for this meeting
* Chair mentioned that she is not always able to attend SNAC meetings and asked if anyone else would be available to attend going forwards
* It was felt that it would be good practise for everyone to attend a meeting

Action: Chair will obtain a copy of the SNAC forward Plan and draft a timetable to which names can be added for future meetings* Chair will attend the meeting 26th September as the Asset Management Strategy is on the agenda
* SNAC usually ask for an update from the TLGS and Cllr Fenton is happy to present this on behalf of the group
* The content of the presentation can be discussed and agreed by the group beforehand
 | Chair |
| 17. | Prep for Saturday 21st October meeting* A meeting is scheduled with Sarah on 21st October to discuss the Action Plan
* All documents to be sent to the group by 5th October
* A preparation meeting is planned for the group on 12th October at 6pm
 | 6pmAll |
| 18. | Any other Business * The Asset Management Strategy went out for public consultation last week.
* Consultation will run for 5 weeks and is due to end 13th October
* The Strategy consultation is not currently online
* The email version has been circulated to the group
* The report will be going to Scrutiny 26th September – SNAC are not a decision-making group but can make recommendations
* Not all comments made by tenants have been included in the summary document
* Officers should make clear what can be added in a strategy going forwards
* SMBC will need to evidence how it engages with residents under the new regulations
* The group thought that the strategy should be developed collaboratively with residents, not just in consultation
* The strategy is on the Leadership Team agenda for 17th October and on the Cabinet agenda for 18th October

Terms of Reference* Amendments were made to the Terms of Reference regarding
* Timescale for papers to be circulated ahead of meetings
* Length of officer presentations
* Setting the agenda for meetings
* The protocol around requesting information from managers and how much notice to be given
* The process around members attendance to group meetings
* The suggested changes were reviewed and approved
* The changes will now be included in the Terms of Reference
* It was noted that the format of some documents can present problems for anyone with a visual impairment

Action: Marianne and Yvonne to set out guidance to ensure all documents are accessible* The next formal meeting is scheduled for 16th December
* Dean Epton the Interim Director has been invited to attend the meeting to discuss the 30 Business Plan
 | All |
|  | **Date of next formal meeting:** - Saturday 16th December 2023 |  |