

**Committee Name and Date of Committee Meeting**

Audit Committee – 14 January 2025

**Report Title**

Health & Safety Legislation and Corporate Responsibilities for Council Homes: Smoke and CO Alarms Audit Progress Report

**Is this a Key Decision and has it been included on the Forward Plan?**

No

**Strategic Director Approving Submission of the Report**

Ian Spicer, Strategic Director of Adult Care, Housing and Public Health

**Report Author(s)**

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**Ward(s) Affected**

Borough-Wide

**Report Summary**

The purpose of this report is to provide assurance to the Audit Committee in relation to the actions taken and implementation of the recommendations made with regard to the partial assurance Internal Audit report on Health & Safety Legislation and Corporate Responsibilities for Council Homes: Smoke and CO Alarms.

**Recommendations**

That the Audit Committee note the contents of the report.

**List of Appendices Included**

None

**Background Papers**

None

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **Health & Safety Legislation and Corporate Responsibilities for Council Homes: Smoke and CO Alarms audit update report**

### **1. Background**

- 1.1 As part of a cycle of internal audits focused on the Council's Health and Safety obligations in relation to its council homes, an audit focused on smoke and carbon monoxide (CO) alarms reported in September 2024. The purpose of the audit was to provide assurance that the risk of non-compliance with the relevant health and safety regulations regarding smoke and CO alarms was being managed effectively.
- 1.2 Relevant regulations include those within the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022, specifically with respect to:
- Social landlords will be required to provide a smoke alarm on every storey of their properties where there is a room used wholly or partly as living accommodation.
  - Both social and private landlords will be required to provide carbon monoxide alarms in any room of their properties used wholly or partly as living accommodation where a fixed combustion appliance is present (excluding gas cookers).
  - There will be a new obligation on all landlords to repair or replace any alarm which is found to be faulty during the period of a tenancy, and landlords will be required to repair or replace alarms as soon as reasonably practicable.
- 1.3 The audit gave a 'partial assurance' opinion with 13 actions recommended.

### **2. Key Issues**

- 2.1 The following key areas were identified for improvement:
- Recording and record-keeping relating to the installation of smoke and CO alarms and the accuracy of annual gas service reports: agreed actions included ensuring contractors record information properly, that enhanced quality assurance checks are carried out by the Council, and that compliance software is utilised to improve efficiency and effectiveness.
  - Information on when alarms were installed and their replacement date: it was identified that the 'detector report' available to the Council did not include these details and it was agreed this should be rectified as new checks are carried out by contractors.
  - Missing CO detectors: the report identified that in some cases the reason that a CO detector was not installed was not recorded on the annual gas certificate by the contractor. Actions were agreed to address this formally with the contractor and embed into quality assurance checks. It was also agreed that the Council should proactively investigate any instance where it is known that the CO detector is missing.

- Access procedures: an action was agreed to develop a written procedure documenting how the Council will address instances of tenants refusing to have detectors installed or where it is found that detectors have been removed. It was also recommended that the Council prioritises checking those properties where access has been challenging.

2.2 The majority of recommended actions are now complete within the agreed timescale. As at 19<sup>th</sup> December 2024, there were three outstanding actions, all of which are due to be complete within the timescales agreed in the report. These are:

- Implementation of compliance software. This is on target for March 2025. Many of the recommendations in the audit report include specific actions that depend on the installation of compliance software. The Compliance Workbook (TCW) was procured during 2024 and is currently being implemented. Currently the Council is uploading all historical gas and electrical certificates into the system (approximately 80,000 certificates) going back to 2020. The system will then be configured to enable the Council to extract data and report efficiently. The system will be completely operational in all areas of compliance by the end of 2025.
- Access procedures. This is on target and will form part of the gas 'no access' procedure. The Council's contractor carries out three visits for access with letters sent, 2 weeks apart. If access is not granted, then the case is taken through a legal process that can result in a court granting a warrant of entry under the Environmental Protection Act 1988. During execution of the warrant the gas appliances are serviced / made safe, and the smoke and CO alarms are tested. Currently properties with external meters do not go through court because the meters can be capped without entering the home. This means smoke and CO alarms cannot be checked. The Council is exploring changing the approach so we gain entry even where the gas meter is external.
- Visiting all properties where the Council has limited/no CO alarm information. All 141 properties in scope of this action have had at least one visit. Further visits will take place and letters will be sent to try to gain access. As of the 19<sup>th</sup> December 2024, 47 properties were outstanding.

2.3 In addition, through the random sample of properties analysed for the audit exercise, two properties were identified where CO detectors were not installed but should have been. Both were installed during November 2024.

### **3. Options considered and recommended proposal**

3.1 No further options considered at this stage.

### **4. Consultation on proposal**

4.1 Not applicable.

## **5. Timetable and Accountability for Implementing this Decision**

5.1 The Assistant Director of Housing is accountable for the actions in the audit report and the Interim Compliance Manager and Partnering Manager within Housing Property Services are responsible for implementation. All actions are due to be completed by March 2025.

## **6. Financial and Procurement Advice and Implications**

6.1 There are no direct financial or procurement implications arising from this report.

## **7. Legal Advice and Implications**

7.1 There are no direct Legal implications arising from the report.

## **8. Human Resources Advice and Implications**

8.1 There are no direct Human Resources implications arising from the report.

## **9. Implications for Children and Young People and Vulnerable Adults**

9.1 There are no direct implications arising from the report on children, young people and vulnerable adults.

## **10. Equalities and Human Rights Advice and Implications**

10.1 There are no direct Equalities and Human Rights implications arising from this report.

## **11. Implications for CO<sub>2</sub> Emissions and Climate Change**

11.1 There are no direct CO<sub>2</sub> and Climate Change implications arising from the report.

## **12. Implications for Partners**

12.1 There are no direct implications for partners.

## **13. Risks and Mitigation**

13.1 Implementation of the actions agreed during the audit will help to mitigate the risks it identified.

### **Accountable Officer(s)**

James Clark, Assistant Director of Housing.

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