

**Committee Name and Date of Committee Meeting**

Cabinet – 18 November 2024

**Report Title**

Housing Repairs and Maintenance Policies

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

Yes

**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 Council is committed to the delivery of a high quality, value for money repairs and maintenance service, which is customer focused, efficient, and accessible. The revised Housing Repairs and Maintenance Policy sets out the Council's approach to delivering a responsive repairs and maintenance service which meets the needs of tenants and leaseholders, and enables the Council to meet its statutory, regulatory, and contractual obligations.

The Housing Services Electrical Safety Policy and the Gas and Carbon Monoxide (CO) Policy set out the Council's approach to managing its responsibilities for gas safety, electrical safety, smoke alarms and CO alarms in housing assets in line with legislation and best practice.

A delegation is sought to enable the Strategic Director, in consultation with the Cabinet Member for Housing, to make further changes to key housing compliance policies in line with service needs and the evolving regulatory and legislative context.

This report also provides an update on the work which has begun to consider the future of the repairs and maintenance service in the context of new consumer regulations and a break clause in the Council's existing contracts.

## Recommendations

That Cabinet:

1. Approve the Housing Services Repairs and Maintenance Policy (Appendix 1).
2. Approve the increase in decoration allowance from £25 to £50 per room, up to a maximum of £350 per property, as proposed in the Housing Services Repairs and Maintenance Policy (Appendix 1).
3. Note the ongoing work to scope the future repairs and maintenance delivery model for Rotherham and agrees to receive a further update on this work in 2025.
4. Approve the Housing Services Gas and Carbon Monoxide Safety Policy (Appendix 2).
5. Approve the Housing Services Electrical Safety Policy (Appendix 3).
6. Delegate authority to the Strategic Director for Adult Care, Housing and Public Health, in consultation with the Cabinet Member for Housing, to make amendments to the following housing policies in line with operational, regulatory and legislative demands:
  - Housing Services Repairs and Maintenance Policy
  - Housing Services Gas and Carbon Monoxide Safety Policy
  - Housing Services Electrical Safety Policy
  - Housing Services Fire Safety Policy
  - Damp, Mould and Condensation Policy as it relates to housing assets.

## List of Appendices Included

Appendix 1 Housing Services Repairs and Maintenance Policy  
Appendix 2 Housing Services Gas and Carbon Monoxide Policy  
Appendix 3 Housing Services Electrical Safety Policy  
Appendix 4 Equalities Analysis Part A  
Appendix 5 Equalities Analysis Part B  
Appendix 6 Carbon Impact Assessment

## Background Papers

[The Regulator of Social Housing's Consumer Standards](#)

[The Social Housing \(Regulation\) Act, 2023](#)

[Tenant Satisfaction Measures](#)

[Awaab's Law Consultation](#)

[Damp, Mould and Condensation Policy](#)

[Housing Fire Safety Policy](#)

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**  
Improving Places Select Commission – 22 October 2024

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## Housing Repairs and Maintenance Policies

### 1. Background

- 1.1 The Regulator of Social Housing (RSH), in the Transparency, Influence and Accountability Standard, specifies the outcomes landlords must deliver in relation to being open with tenants and treating them with fairness and respect so that tenants can access services, raise complaints, influence decision making and hold their landlord to account. The Safety and Quality Standard specifies that all landlords must deliver an effective and value for money repairs and maintenance service and comply with all relevant health and safety legislation.
- 1.2 To comply with these standards, landlords need to have clear and accessible policies in place for key areas of housing service delivery which set out the approach to service delivery and enable tenants to hold the Council as 'landlord' to account.
- 1.3 The repair and maintenance of Council homes is a key area where a policy is required to outline how the Council meets its legal and regulatory responsibilities as a landlord and deliver the repairs service to tenants.
- 1.4 Policies are also required on each area of health and safety compliance. Currently, there are policies in place for Damp, Mould and Condensation, and Fire Safety. The Corporate Property Service is developing policies on Lifts and Water Safety which will incorporate responsibilities within Council owned housing assets. Policies have been developed for the remaining areas of compliance which set out the Council's approach to managing Electrical, Gas and Carbon Monoxide compliance in housing assets.
- 1.5 The introduction of the Social Housing (Regulation) Act, 2023, prompted the Council, and social housing landlords nationally, to examine all aspects of housing service activity. This self-assessment enabled the Council to gauge how well it is meeting the expectations of the Regulator's consumer standards, to identify gaps in delivery, and focus on areas for improvement. Increasing the number of published policies was identified as an area of improvement.
- 1.6 The Council is separately considering the future delivery of its repairs and maintenance activities, considering increased demands on the service, new regulatory requirements, and an upcoming break clause in the current contracts. The contracts commenced on 1 April 2020 and have recently been extended until 31 March 2027, with an option to extend up to a further three financial years.

### 2. Key Issues

#### Housing Repairs and Maintenance Policy

- 2.1 The Housing Property Service is responsible for the repairs, maintenance, and investment in the Council's housing revenue account assets. This includes:

- 19,879 residential properties
- 3,254 garages on 404 purpose-built garage sites
- 144 garage plot sites
- 37 boiler houses
- 45 neighbourhood centres
- 1 residential tower block over 18 metres

2.2 The Housing Repairs and Maintenance Policy sets out the Council's overall approach to delivering repairs and maintenance and how it meets its obligations, including the relevant consumer standards. The Policy applies to the repair of Council owned housing properties, including the assets listed above, as well as communal areas.

2.3 The current service delivery model, encapsulated within the Housing Repairs and Maintenance Policy, is subject to the terms of the existing contracts with the Council's current contract partners and allocated budgets, therefore there is limited scope for significant change at this stage.

2.4 The Policy includes:

- How repairs can be reported, appointment slots for work to be undertaken and the timescales for completion dependent upon level of urgency.
- The types of repairs the Council is responsible for and the responsibilities of tenants.
- How reports are dealt with including prioritisation based upon the type of the repair and the impact upon the tenants' personal circumstances.

2.5 The Council carries out over 6,000 responsive repairs each month, or around 200 repairs each day.

2.6 The table below shows the minimum numbers of repairs which the Council carries out annually. It excludes contracted capital works, lift repairs and servicing, damp and mould works, and cyclical compliance works, but gives an idea of the overall scale of the service.

2.7

YEAR	NUMBER OF REPAIRS
2023/2024	73,312
2022/2023	70,621
2021/2022	71,989
2020/2021	62,831
2019/2020	75,797

2.8 Repairs are prioritised based upon the urgency and if a tenant has a health condition which is being adversely impacted by the repair. There are three responsive repair categories. Non-urgent work is categorised as maintenance for completion within a future work programme.

2.9 • Emergency repairs are defined as repairs that require immediate and urgent action to prevent risk to people or property, as such, the Council

operates 24-hours a day, 365 days of the year to attend emergency repairs within a four-hour period. These repairs usually involve carrying out work to make the home safe and secure while further works are arranged for a later date.

- Urgent repairs include a total loss of heating and hot water. Urgent repairs are attended by 8pm on the day after a repair is reported.
- Standard, non-urgent repairs are allocated on a 28-day priority, and appointments are chosen by tenants or agreed at a mutually convenient time.

2.10 The Service is continuing its focus on strengthening data collection to assist the triaging of repairs in future.

2.11 It is important that tenants provide access to allow repairs, cyclical servicing and maintenance to be undertaken. The Policy sets out the approach to 'no access' where the tenant does not engage with the Council to allow access to their property.

2.12 The Council's approach to investment and stock improvement will be detailed in a future Housing Asset Management Strategy.

#### Decoration Allowance

2.13 The Council has a legal duty under the Landlord and Tenant Act 1985, to make good or compensate for damaged decorations as a result of works carried out to their homes. Examples of such repair work may include:

- Electrical re-wiring following an electrical fault,
- Broken bathroom fittings and associated re-tiling,
- Insecure external windows/doors,
- Loose or detached banister/handrail,
- Leaking roof,
- Repairing a defective damp proof course.

2.14 The Council has no legal responsibility to provide decoration allowance following an improvement to a home. As a responsible landlord, the Council feels that it should help customers where decorations have been disturbed following programmed/improvement works. Not all improvement works will cause damage or require the full decoration of a room. Examples of programmed works can include:

- Kitchen replacement (if the Council does not redecorate following fitting).
- Bathroom replacement (if the Council does not redecorate following fitting).
- Damp proof course renewal.
- Installing a damp proof course for the first time.
- Plastering (see paragraph 2.13).

2.15 Most damage to plasterwork is discovered during routine redecoration by a customer. In such circumstances, compensation for damage to decoration is

not appropriate. If the Council must make good plasterwork as a result of damage caused during repair work, then the customer should be compensated by way of a decoration allowance.

- 2.16 The Council currently awards £25 per room to tenants following damage to tenants' décor. The Council has not revised its approach to Decoration Allowance, and the sums awarded to tenants, since 2005.
- 2.17 The Policy retains the allocation of decorating allowance 'by rooms damaged' and proposes the allocation of a fixed sum per room. This should apply to all rooms within the home, not just habitable rooms – the hall(s), stairs and landing should be viewed as one room.
- 2.18 Inflation since 2005 means the decoration allowance should be increased. Cabinet is asked to approve a new allocation of £50 per room, which compares favourably with neighbouring social housing landlords. A limit of £350 per property is also proposed. The sums awarded will be reviewed every three years under the delegations proposed in Recommendation 6.
- 2.19 It is proposed that there should be more than one method by which tenants can receive decoration allowance: payment to rent account, BACS payment or cheque issued in the tenant's name.

#### Housing Services Gas and Carbon Monoxide Safety Policy

- 2.20 The Gas and Carbon Monoxide Safety Policy sets out the legal and regulatory framework for managing gas safety, carbon monoxide and smoke detectors.
- 2.21 It covers assets within the responsibility of the Council's housing service, including residential properties, neighbourhood centres, garages and boiler houses but does not apply to managing gas and carbon monoxide safety within non-council owned dwellings or other council assets such as schools, care homes, offices, or commercial properties.
- 2.22 The Council has a range of measures in place to manage gas and carbon monoxide safety within its properties. The compliance management matrix details all compliance activity, frequency of testing, and how the Council meets its statutory and regulatory obligations. This includes:
- Domestic Landlord Gas Safety Record.
  - Non- Domestic Landlord Gas Safety Record.
  - Solid Fuel Annual Service and Sweep.
  - Carbon Monoxide Detection.
  - Liquid Petroleum Gas Landlord Gas Safety Record.
  - Heating Pressure Vessels.
- 2.23 Unsafe gas appliances present risk to life from fire and carbon monoxide poisoning. A robust 'no access' process is in place for gas servicing which includes repeated attempts to contact the tenant. The Council will apply to court for a warrant for access if the tenant does not engage. Access is gained

to the property to undertake the gas safety check and, if necessary, to cap the meter.

- 2.24 The current performance for gas servicing is 99.93% as it is not possible to apply for the warrant until the gas servicing is overdue. It is therefore extremely difficult to achieve 100% compliance as access issues are encountered every month. Performance is monitored monthly, and data is published quarterly.
- 2.25 A pro-active installation programme of smoke and carbon monoxide alarms has been undertaken. Currently, 99.28% of properties have a carbon monoxide alarm and 99.72% have a smoke alarm. Performance is monitored quarterly.

#### Housing Services Electrical Safety Policy

- 2.26 The Electrical Safety Policy sets out the regulatory framework for managing electrical assets within the Council's housing assets.
- 2.27 The Council has a range of measures in place to manage electrical safety within its properties as detailed in the compliance matrix. This includes:
- Domestic electrical installation condition report
  - Non-domestic electrical installation condition report
  - Smoke detectors
  - Automatic doors
  - Automatic gates and barriers
  - Emergency lighting
  - Portable appliance testing
  - Lightning protection
- 2.28 Unsafe electrical appliances present risk to life from fire and electric shock. It is therefore imperative that tenants provide access to their properties to undertake frequent inspections and servicing. Currently electrical servicing is subject to contact from the Council's contract partner followed by letters and telephone calls from the Council to obtain access to undertake the servicing. The Legal Service will be trialling an electrical installation condition report to Court within the forthcoming months to gauge whether the court will provide a warrant for this work to be undertaken.
- 2.29 Current performance on properties with an Electrical Installation Condition Report is 96.2% Performance is monitored monthly, and data is published quarterly.

#### Delegation to amend housing services compliance policies

- 2.30 The legislation and regulatory framework associated with social housing is evolving with further imminent changes following the introduction of Awaab's Law. These are also largely operational matters, and the Council requires flexibility to amend some service standards in light of operational demands



and availability of staff and contractors. Therefore, Cabinet is asked to delegate authority to enable the Strategic Director, in consultation with the Cabinet Member for Housing, to make further changes to key housing compliance policies in line with service needs and the evolving regulatory and legislative context. This would apply to the Housing Services' Gas and Carbon Monoxide, Electrical Safety, Fire Safety (agreed April 2024), and Damp, Mould and Condensation (agreed September 2023) policies.

### Future of Housing Repairs and Maintenance Service Delivery

- 2.31 Demand on the repairs services is expected to continue to increase, and greater agility may be needed when responding to reports of damp and mould. In the future, other Category One hazards in the Housing Health and Safety Rating System, may also have to be prioritised, depending on the outcome of the Government's consultation on Awaab's Law.
- 2.32 The regulatory context for the delivery of repairs and maintenance services is undergoing a period of change, including new consumer standards, Tenant Satisfaction Measures (TSMs), Awaab's Law, the professionalisation of the sector, and a review of the Decent Homes Standard. The Council needs to evaluate and review the current service model against this changing regulatory environment.
- 2.33 Currently most of the work is included within two large repairs and maintenance contracts which are split geographically and by work category. Specialist work, such as damp and mould, and lift servicing, is separately managed within smaller contracts.
- 2.34 A programme of engagement is underway which seeks to provide the Council with a better understanding of the views and priorities of tenants, elected members, officers and other stakeholders and to specify the outcomes the Council should prioritise in any future service delivery model.
- 2.35 An industry specialist will be engaged to overlay the Council's identified requirements against the service delivery options available to the Council.
- 2.36 The outcome of this exercise will support the development of informed recommendations regarding the future delivery of the Council's repairs and maintenance service, with decisions to be taken in 2025. Depending on the decision taken, the Repairs and Maintenance Policy may need to be reviewed.

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

- 3.1 The three policies have been identified as key documents needed by social housing landlords to ensure tenants understand the Council's service delivery commitments and to be compliant with the Regulator of Social Housing's new consumer standards.
- 3.2 The Regulator of Social Housing will carry out in depth assessments of providers at least every four years. Not having these policies updated,

agreed and available to tenants would reflect negatively on the Council's Housing Service and the lack of policies would be reflected in the Regulator's grading.

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

- 4.1 The current service delivery model is subject to the terms of the existing contracts with the Council's current delivery partners and the current allocated budgets therefore there is limited scope for significant change.
- 4.2 The Draft Housing Repairs and Maintenance Policy was shared with Tenant Scrutiny Panel on Monday 15 July 2024 where constructive feedback was shared and included in the draft. The draft policy was also shared with Improving Places Select Commission on 22 October 2024 for feedback and discussion.
- 4.3 The main point of discussion with Tenant Scrutiny related to the section titled 'Tenants' Personal Circumstances'. This section addresses the requirement to consider residents' needs when assessing the urgency of a repair. It was originally titled 'Tenant Vulnerabilities', but tenants did not agree with characterising personal circumstances as vulnerabilities.
- 4.4 It is proposed that the future delivery of the repairs and maintenance service is subject to engagement with tenants prior to any proposals being put to Cabinet for agreement. Any significant change in service would be subject to consultation with tenants and residents.

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

- 5.1 Implementation of the policies would follow Cabinet decision.

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

- 6.1 For the financial year 2024/2025, there is a revenue budget of £24.5m and a capital budget of £29.2m in place to deliver the Council's housing repairs, maintenance and investment services across various contracts.
- 6.2 Any changes to how the service delivers and operates may change the cost profiles. The budgets are reviewed during the HRA Business Planning and budget setting process. Future requirements will be considered, and appropriate budgets set in place based on priority and affordability.
- 6.3 The current repairs and maintenance contracts have been extended until March 2027 with an option to extend for a further three years in one-year increments.
- 6.4 In the financial year 2023/2024, the Council awarded £11,931 Decoration Allowance.

6.5	Financial Year	Spend	Increase
	2024/2025	£15,750	24%
	2023/2024	£11,931	20%
	2022/2023	£9,907	69%
	2021/2022	£5,850	100%
	2020/2021	£2,918	

6.6 Increasing the level of Decoration Allowance and broadening the range of works activity after which decoration allowance will be offered, will impact the overall budget the Council has for repairing and maintaining its homes. It is difficult to accurately calculate but it is estimated that the current budget of £15,750 would need to be increased to £50,000.

6.7 There are no direct procurement implications associated with the approval of the policies that form the basis of this report. It must however be noted that the engagement of an industry specialist to inform the future of housing repairs and maintenance service delivery must be procured in compliance with the Council's Financial and Procurement Procedure Rules.

## 7. Legal Advice and Implications

7.1 There are legal requirements for maintaining social housing, keeping it free from hazards and in a reasonable state of repair. The Regulator of Social Housing also provides for Consumer Standards which require social landlords to have an accurate, up to date and evidenced understanding of the condition of their homes. The Regulators' Tenant Satisfaction Measures are a core set of performance measures against which all social providers of housing must publish their performance.

7.2 The Housing Services Repairs and Maintenance Policy incorporates the legal and regulatory requirements to ensure compliance with and understanding of the repair and maintenance obligations.

7.3 In addition to regulatory compliance that places duties on employers to ensure that all electrical installations and appliances within the workplace are safe, the Housing Services Electrical Safety Policy provides for recommended best practice measures that ensure *'A programme of electrical installation inspection and testing is carried out to all domestic, communal areas and neighbourhood centres at least once every 5 years (unless the competent person recommends the next test must be done sooner than this), upon commencement of a new tenancy or following planned component replacement works.'*

7.4 The Housing Services Gas and Carbon Monoxide Safety Policy, prepared in compliance with 'The Gas Safety (Installation and Use) Regulations 1998' and the 'Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022', ensures the safe installation and maintenance of gas appliances and smoke and carbon monoxide alarms in Council properties.

7.5 In implementing the policies, the Council will be able to demonstrate adherence to the new Consumer Standards, whilst also minimising the risk of customer complaint and/or legal challenge and/or enforcement action by the Regulator. The Housing Services Repairs and Maintenance policy will likely require amendment to reflect specific timeframes for repairs to be carried out in the social rented sector once determined.

7.6 In due course the government will introduce Awaab's law which will require landlords to fix reported health hazards within specified timescales. The Housing Services Repairs and Maintenance Policy may require amendment to reflect the criteria within the law.

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

8.1 There are no HR implications associated with the Policies. However, any changes to future service delivery may impact on staff within the Housing Service and contract partners.

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

9.1 The Council will take into account whether a resident has any particular needs that give a specific repair more urgency than the designated timescales.

9.2 Depending on tenants' needs, and in particular circumstances, the Council will adjust the urgency of a repair if the risk to health, safety and security is increased due to tenants' personal circumstances.

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

10.1 The Council supports equality of access for all its tenants, especially those who are at most risk due to their/their household members' needs, those who have difficulties managing their property, and those who struggle to sustain a tenancy. The Council recognises that some groups with protected characteristics are more likely to fall into one of these categories.

10.2 Where appropriate the Council will adapt working practices to ensure tenants do not face additional barriers when accessing services. This includes providing information to tenants in Braille, large print, audio, or alternative languages.

10.3 The Council will record and monitor data to gain insight on satisfaction levels and service outcomes for tenants with protected characteristics and use this information to help improve services.

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

11.1 Refurbishment works undertaken by the service improve the thermal efficiency of properties which positively contributes to the reduction of CO<sub>2</sub> emissions and climate change agenda.

## 12. Implications for Partners

- 12.1 Should the delivery model change in the future, there will be an impact on the contract partners.

## 13. Risks and Mitigation

- 13.1 The attached policies reflect the current arrangements which have been in place since 2020.
- 13.2 Social housing landlords are awaiting the outcome of the Government consultation on Awaab's Law and are keen to understand the range of hazards against which tenant's personal circumstances need to be taken into consideration when prioritising repair.
- 13.3 The Council has already put in place processes to deal with reports of damp and mould and is working to the timescales laid out in the Government consultation. This has resulted in an increase in reports of damp and mould, to which the Council must respond within 10 days.

## 14. Accountable Officers

James Clark, Assistant Director of Housing

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp OBE	04/11/24
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	29/10/24
Assistant Director of Legal Services (Monitoring Officer)	Phil Horsfield	30/10/24

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