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New Somerset Council

Local Government Reorganisation Joint Scrutiny Committee

Thursday 2 March 2023

2.00 pm Luttrell Room - County Hall, Taunton

To: The Members of the Local Government Reorganisation Joint Scrutiny Committee

Cllr B Filmer (Chair), Cllr B Hamilton (Vice-Chair), Cllr S Buller, Cllr T Butt Philip, Cllr M Chilcott, Cllr B Crow, Cllr T Deakin, Cllr P Ham, Cllr C Inchley, Cllr M Lithgow, Cllr D Mansell, Cllr P Maxwell, Cllr H Prior-Sankey, Cllr D Rodrigues, Cllr J Roundell Greene and Cllr B Smedley

All Somerset County Council and District Council Members are invited to attend meetings of the Somerset Local Government Reorganisation Joint Committee.

Issued By Scott Wooldridge, Strategic Manager - Monitoring Officer, Somerset County Council - 21 February 2023

For further information about the meeting, please contact Jamie Jackson jajackson@somerset.gov.uk or Clare Rendell clare.rendell@somerset.gov.uk

Guidance about procedures at the meeting follows the printed agenda.

This meeting will be open to the public and press, subject to the passing of any resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

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AGENDA

Item Local Government Reorganisation Joint Scrutiny Committee - 2.00 pm Thursday 2 March 2023

****Public Guidance notes and LGR Glossary contained in agenda annexe****

1 **Apologies for Absence**

To receive Members' apologies.

2 **Minutes of the Previous Meeting of the LGR Joint Scrutiny Committee (Pages 15 - 20)**

To note the minutes of the previous meeting of the LGR Joint Scrutiny Committee, circulated within the agenda.

3 **Declarations of Interest**

Details of all Members' interests in District, Town and Parish Councils can be viewed on the [Council Website](#)

The Statutory Register of Member's Interests can be inspected via request to the Democratic Service Team. Any new or updated declarations of interest will be received.

4 **Public Question Time**

The Chair will allow members of the public to ask a question or make a statement about any matter on the agenda for this meeting. These questions may be taken during the meeting, when the relevant agenda item is considered, at the Chair's discretion.

5 **Building and Resident Health and Safety Strategy (Pages 21 - 90)**

To consider the report.

6 **Unitary Council Governance**

To consider a presentation from the Monitoring Officer.

7 **LGR Programme Update (Pages 91 - 128)**

To consider the report.

8 **LGR Risk Register (Pages 129 - 148)**

Item Local Government Reorganisation Joint Scrutiny Committee - 2.00 pm Thursday 2 March 2023

To consider the report.

9 **Any Other Urgent Items of Business**

The Chair may raise any items of urgent business.

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Guidance notes for the meeting

1. **Council Public Meetings**

The former regulations that enabled virtual committee meetings ended on 7 May 2021. Since then, all committee meetings need to return to face-to-face meetings. The requirement is for members of the committee and key supporting officers to attend in person, along with some provision for any public speakers. Provision will be made wherever possible for those who do not need to attend in person including the public and press who wish to view the meeting to be able to do so virtually.

2. **Inspection of Papers**

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

They can also be accessed via the council's website on www.somerset.gov.uk/agendasandpapers.

Printed agendas can also be viewed in reception at the Council offices at County Hall, Taunton TA1 4DY.

3. **Members' Code of Conduct requirements**

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: [Code of Conduct](#)

4. **Minutes of the Meeting**

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting.

5. **Public Question Time**

If you wish to speak, please contact Democratic Services by 5pm 3 clear working days before the meeting. Email democraticserviceteam@somerset.gov.uk or telephone 01823 357628.

Members of public wishing to speak or ask a question will need to attend in person or if unable can submit their question or statement in writing for an officer to read out.

After entering the Council building you may be taken to a waiting room before being taken to the meeting for the relevant agenda item to ask your question. After the agenda item has finished you will be asked to leave the meeting for other members of the public to attend to speak on other items.

A slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been agreed. However, questions or statements about any matter on the agenda for this meeting may be taken at the time when each matter is considered.

At the Chair's invitation you may ask questions and/or make statements or comments about any matter on the Committee's agenda – providing you have given the required notice. You may also present a petition on any matter within the Committee's remit. The length of public question time will be no more than 30 minutes in total (20 minutes for meetings other than County Council meetings).

You must direct your questions and comments through the Chair. You may not take a direct part in the debate. The Chair will decide when public participation is to finish.

If an item on the agenda is contentious, with many people wishing to attend the meeting, a representative should be nominated to present the views of a group.

An issue will not be deferred just because you cannot be present for the meeting. Remember that the amount of time you speak will be restricted, to three minutes only.

In line with the council's procedural rules, if any member of the public interrupts a meeting the Chair will warn them accordingly.

If that person continues to interrupt or disrupt proceedings the Chair can ask the Democratic Services Officer to remove them as a participant from the meeting.

Provision will be made for anybody who wishes to listen in on the meeting only to follow the meeting online.

6. **Meeting Etiquette for participants**

- Only speak when invited to do so by the Chair.
- Mute your microphone when you are not talking.
- Switch off video if you are not speaking.
- Speak clearly (if you are not using video then please state your name)

- If you're referring to a specific page, mention the page number.
- Switch off your video and microphone after you have spoken.
- There is a facility in Microsoft Teams under the ellipsis button called turn on live captions which provides subtitles on the screen.

7. **Exclusion of Press & Public**

If when considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask Participants to leave the meeting when any exempt or confidential information is about to be discussed.

8. **Recording of meetings**

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting.

Please contact the Committee Administrator or Democratic Services on 01823 357628 or email democraticservicesteam@somerset.gov.uk if you have any questions or concerns.

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LGR Technical Glossary

(LGR) Advisory Forum – A group comprised of representative partner organisations and Chaired by the County Council's Executive Lead Member for LGR. The purpose of the Forum is to ensure that LGR in Somerset is delivered effectively with strong stakeholder engagement and involvement. The Forum will:

- Engage with, partners, stakeholders, and others to promote engagement with and understanding of the new authority as it develops.
- Hold public events as part of a broader public engagement plan
- Advise on the design and delivery of the cash and non-cash benefits expected from the new authority.

The Forum will have an advisory role only and no decision-making or scrutiny role.

Behaviour – Actions, habits, and practices that shape a culture. This is important because of the different ways the new council may choose to work. New or different behaviours can be encouraged by applying principles, ideas, process, and systems.

Benefit – A benefit is what our customers, communities and colleagues can actually see and feel as a result of what we do. They should show measurable, quantifiable improvements from outcomes, capabilities, products.

Business Case – A Business Case provides justification for undertaking a project, programme or portfolio. In the context of LGR this refers to the Business Case for a single unitary authority in Somerset.

Capability – Something (service, function, operation) that enables the new council and its workforce to deliver services or improve them.

Change Control – is the process through which all requests to change the approved baseline (what we have agreed to do) of a piece of work, usually a project or a programme of work. Request for change are captured, evaluated and then approved, rejected or deferred.

Change Impact – The results of something that has been done, on people, groups, organisations as the result of a change. Change impacts should be continually identified and assessed, as they could be

negative as well as positive. Plans to reduce or remove negative impacts should be implemented and monitored.

Change Management – Change management is about understanding how people react to changes and helping them adapt and embrace new ways of working or different situations. This is important when delivering a large amount of change like a unitary council. Change management activity e.g communication, engagement, training, should be interwoven with technical work, e.g. project plans.

Chief Executive Officer (CEO) – The most senior corporate, executive, or administrative officer in charge of managing an organization. The County Council and four Districts all have a Chief Executive.

Communication – Communication is giving, receiving or exchanging ideas, information, signals or messages through appropriate media, so people or groups can learn about something, understand it, share or ask for information or to express their views.

Consequential Orders – These are laws (legislation) passed by the Secretary of State to make, to tidy up a range of legislation relating to the five Somerset Councils, so the single unitary can work effectively. It is often known as a “tidying up exercise”.

Dependency – Tasks, activities or products that require other work or decisions in order to deliver their own tasks and activities: this could relate to time, quality, or cost.

Dependency management – an important aspect of programme control, to ensure that where a workstream/product has a dependency that the impact of any delays are understood. Likewise, it is important for a workstream/product to see where there is a dependency with another product or workstream.

Engagement – Opportunities and activities that open-up dialogue to listen, seek feedback and promote collaboration and sharing of learning

Equalities Impact – Any impacts on communities protected by equality legislation. Impacts should be continually identified and assessed. Plans to reduce or remove negative impacts should be implemented and results monitored as part of delivery.

Implementation Board – Responsible for monitoring of the programme and providing advice and recommendations on its implementation to the Implementation Executive.

Implementation Executive – Responsible for ensuring that the LGR Programme is delivered and making decisions to ensure the effective delivery of the new Council. The Implementation Executive for the programme is the Somerset County Council Executive Committee, as defined in legislation.

Implementation Plan – A document required by legislation, it must contain detailed plans and timetables showing how the new unitary council will be delivered effectively.

Issue – When mitigating actions applied to a risk fail to prevent an event from occurring, resulting in an 'issue' that needs to be managed. Issues can also arise from unforeseen circumstances.

Local Community Network (LCN) – Local Community Networks (LCNs) will be part of the new Somerset Unitary Council and bring Somerset Unitary Councillors and Officers together with key partners such as Town, City and Parish Councils, Health, Police, the Voluntary Sector and local groups, as well as residents.

The elected leaders of the new Somerset Council have confirmed their commitment to LCNs, and an intention to develop the model further in consultation with residents.

Lessons learnt – Recorded experiences of what has worked well or not when undertaking pieces of work. Intended to be shared so learning is not lost either within the programme and beyond

Medium Term Financial Plan (MTFP) – A annual review of the Council budgetary position and production of a rolling 3-year plan. This plan considers the financial climate at both the local and national level together with available resources and budgetary pressures in arriving at a financial strategy and budget for the Council.

Minimal viable product (MVP) – a business term meaning a version of a product with the minimum number of features to be usable by customers. This can then allow them to provide feedback to develop and improve it over time.

Mutual Aid – An agreement between our five Councils to provide short term assistance to resolve an issue or help deliver an important activity. Most often this relates to sharing staff, but can involve office space or other things.

Objectives – Specific statements of what is intended to be achieved by a piece of work. It helps when creating vision, goals, desired states.

Outcome – The result of outputs / capabilities put into action that makes a real-world difference to people's lives.

People Side of Change – Understanding and implementing what it takes to ensure the people closest to any change are equipped, enabled, and motivated to adopt new ways of doing things. Can include council services or ways that council staff work.

Policy Framework – guides the development of policies and procedures to ensure they are both consistent and user friendly for employees.

Practice – How people apply an idea or way of doing things, in the real world.

Process – The actions or steps taken to achieve a planned result or outcome

Procurement – obtaining or purchasing goods or services, ensuring that the correct rules and procedures are followed

Product – Quantifiable goods or services (outputs) that workstreams and Project Managers will create to deliver the new council. The LGR programme uses this term.

Product list – List of the products that the programme will deliver.

Programme – defined as the coordinated delivery of multiple, inter-related activities and projects to achieve a specified outcome by a specific date.

Programme Board – The Chief Executive Officers Programme Board lead the delivery of the LGR Programme. The membership of the Board is made up of the County and District Council Chief Executive's, the LGR Communications Lead, County Council Chief Finance Officer, County Monitoring Officer, Programme Director and PMO Programme Manager.

Programme Management Office (PMO) – PMO coordinates delivery of LGR Programme and is responsible for reporting and driving the overall programme.

Programme Steering Group (PSG) – Group made up of the Programme Director, Workstream Leads, District Council Leads, LGR Communication Lead and PMO Programme Manager. Its responsibilities include collaboration to develop key products, provide assurance to the Programme Board that the programme is progressing well, and deal with challenges or issues that may arise.

Project – A project is defined as a single package of work with a fixed duration of time to deliver specified outputs on a given date. Each workstream is responsible for delivering a range of projects, which make up the programme.

Project Workbook – A single place where management and reporting information for a project. Intended to be easier to manage than a range of different documents, it is used to avoid unnecessary duplication or copying information to other documents .

Purpose – The reason why something is done or created or why something exists.

Risk – The effect of uncertainty on what we are trying to achieve. The purpose of risk management is to identify and manage the barriers to achieving our objectives. Managing risk well is critical to success of the LGR programme.

Safe and legal – The term safe and legal is used to categorise products which are deemed essential to the operation of Somerset Council on day 1. Refers to services that need to be delivered, meeting their statutory obligations. Often used interchangeably with the term "Minimum Viable Product"

Scorecard – A reporting tool used by workstream and sub- workstream leads to report on the delivery of their products which is reported up to the to the Programme Board, Joint Scrutiny Committee, Implementation Board and Implementation Executive.

SharePoint – SharePoint is a web-based collaborative platform used by all 5 councils to store, report and manage all information and documents relating to the programme. Performance and other reports (including publicly available ones) use information stored on SharePoint

Structural Changes Order – the legislation passed by Parliament which provides the legal powers to create the new unitary council. This includes its name – Somerset Council – and the day it begins operations which is 1st April 2023, or “Vesting Day”

Target Operating Model (TOM) – A Target Operating Model clearly states how an organisation will deliver its vision and corporate plans. It explains how the council and staff will work with residents and partners to deliver what the Council has decided it wants to achieve.

Tranche – The way in which the programme is broken down into specific groups of products to be delivered. Below is an explanation of the 3 levels: –

- **Tranche 1** – Delivery of products that are required on or before Vesting Day, including those essential to signalling the change to Somerset Council for our staff, Members & Customers. Also includes activity and products that enable products in tranches 2 and 3
- **Tranche 2** – Delivery of products that are important to the operation of services but that aren't critical for Vesting Day.
- **Tranche 3** – Delivery of products to deliver the longer-term benefits of a single unitary council for Somerset.

Transformation – Activity which aims to change and develop authorities to create savings or improve performance.

Transition – The period during which the new council is created.

Unitary Authority – The name for areas that have a single local authority responsible for all local government services there. For Somerset, this means a single council instead of the County and District Councils

Vesting Day – The day when the new unitary council – Somerset Council – is established and starts work, superseding the County and District “two tier” system. In Somerset Vesting Day will be 1st April 2023.

Workplan – Project plan showing milestones, activities and owners of work required to deliver the products and new council.

Workstream – How we are dividing up the programme to deliver it – based on the Business Case and agreement on “what sits where.”

Workstreams are responsible for delivering a wide range of related products. There are 6 workstreams in the LGR Programme:

- Asset Optimisation (Technical & Property)
- Communities, Customers & Partnerships (CCP)
- Governance
- Finance
- People
- Service Alignment & Improvement (SA&I)

Workstream Board – Responsible for delivery of a range of related activities. Each Workstream has a Workstream Board, jointly headed by a County and District senior manager, known as a Workstream Lead, reporting to the Programme Board

Workstream Lead – County and District senior managers tasked with leading a programme workstream.

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LOCAL GOVERNMENT REORGANISATION JOINT SCRUTINY COMMITTEE

Minutes of a Meeting of the Local Government Reorganisation Joint Scrutiny Committee held in the Canalside Conference Centre, on Thursday 19 January 2023 at 2.00 pm

Present: Cllr B Filmer (Chair) (SCC), Cllr B Hamilton (Vice-Chair) (SSDC), Cllr R Buckler (SSDC), Cllr S Buller (SWT), Cllr T Butt Philip (SCC), Cllr M Chilcott (SCC), Cllr T Deakin (SCC), Cllr P Ham (MDC), Cllr M Lithgow (SWT), Cllr D Mansell (SCC), Cllr H Prior-Sankey (SCC), Cllr D Rodrigues (SDC), Cllr J Roundell Greene (SCC) and Cllr B Smedley (SCC)

Other Members present: In the room: Cllr A Bradford, Cllr S Wakefield and Cllr R Wyke. On Teams: Cllr P Clayton, Cllr S Coles, Cllr D Denton, Cllr J Hunt, Cllr V Keitch, Cllr A Kendall, Cllr C Lawrence, Cllr L Leyshon, Cllr M Lovell, Cllr L Redman, Cllr H Shearer, Cllr G Slocombe, Cllr M Wale and Cllr R Woods

Apologies for absence: Cllr B Crow, Cllr C Inchley and Cllr P Maxwell

34 Apologies for Absence - Agenda Item 1

Apologies were received from Councillors B Crow, C Inchley and P Maxwell, who was substituted by R Buckler.

35 Minutes of the Previous Meeting of the LGR Joint Scrutiny Committee - Agenda Item 2

The minutes of the LGR Joint Scrutiny Committee meeting held on 27 October 2022 were approved.

36 Declarations of Interest - Agenda Item 3

The Committee noted the details of the personal interests of all Councillors present already declared in relation to their membership of County, District, Town and Parish Councils.

37 Public Question Time - Agenda Item 4

There had been no submissions for statements/questions received by the deadline of Friday 13 January 2023.

38 Proposed Asset Management Strategy for Somerset Council - Agenda Item 9

During the discussion the following points were raised:-

- Councillors queried what sort of timescales were involved in the work and getting the assets up to strategy standards.
The Head of Corporate Property advised that it would be a strategic long-term document for the Council which would cover the first four years and then be reviewed going forward.

- Councillors welcomed the corporate landlord model.
- Councillors queried whether the funding request had been placed within the Medium-Term Financial Plan (MTFP).
The Assets Manager advised that the funding had been placed in the MTFP as a starting point.
- Councillors queried how the cost and decarbonisation work would be balanced out.
The Assets Manager agreed and understood that the cost for decarbonisation work was high but that they were doing the best they could within the strategy document.
- Councillors queried whether the Asset Management Group would be an officer and member cross party working group?
The Assets Manager advised that it had not been decided upon yet.
- Clarification was sought on how the pie charts had been calculated.
The Assets Manager advised that they had been calculated based on number of properties and not the value.

Resolved that the Local Government Reorganisation (LGR) Joint Scrutiny Committee was asked to scrutinise and comment on the proposed strategy and plan.

39 **Digital Strategy for Somerset Council** - Agenda Item 5

During the discussion, the following points were raised:-

- Items five, six and seven on the agenda were debated together.
- Councillors were pleased to see that user need and culture were at the centre of the strategies.
- Councillors were excited to see the implementation of the strategies.
- Councillors were glad that non-digital users had been acknowledged.
- Concern was raised on how insight to foresight would be covered.
The Digital Engagement Manager advised that the data on insight would need to be integrated into all teams.
- Councillors agreed that the strategies were ambitious but that more work could be done to get all teams to look at new technology options.
- Councillors urged officers to include non-technological ways of communications and contact (phone calls and face to face) for those customers who did not have access to technology.
The Digital Engagement Manager agreed and accepted that other channels would be used alongside the digital technology.
- Concern was raised that there were still large areas of the county that did not have access to high-speed internet.
The Digital Engagement Manager advised that this would be looked at as part of work on the infrastructure.
- Concern was raised on the language used within the Equality Impact Assessment (EIA) and the term 'older people' should be amended to include those who did not have access to the internet.
The Digital Engagement Manager advised that the EIA would be made clearer and that they would amend some of the terms used.
- Councillors requested training on the digital technology for themselves, to enable them to better assist their constituents.
- Councillors queried capital to revenue costs.

The Chief Digital Officer advised that the costs were outlined within the strategy and that they would move away from lots of contracts that worked singularly and would try joined up working methods.

- Councillors queried whether there was any data available to show that enabling remote working, encouraged collaborative working.
The Chief Digital Officer advised that there was no data available as the analysis had not been carried out and that they would look at the research carried out by the LGA.
- Councillors highlighted that large data needed to be looked at, as the Council did not want to hold onto any unnecessary data.
- Councillors agreed that the Council had good technology services but that they needed to be linked to service delivery.
- Councillors suggested that process mapping needed to be included in the strategy.
- Concern was raised on the financial risk and whether the future costs of the strategies had been included in the MTFP.
The Chief Digital Officer advised that the costs had not been included as the strategy was a high-level document.
- Concern was raised on digital processes being used for certain services.
The Chief Digital Officer advised that they wanted to ensure digital processes helped not hindered any service.
- Councillors requested that the charter stated that it would include all users and interact in all ways.

Resolved that LGR Joint Scrutiny Board:-

- 1) Noted the key elements of the Digital Strategy,
- 2) Noted the high-level implications and risks,
- 3) Endorsed the strategy content, with comments made by members.

40 **Data Strategy for Somerset Council - Agenda Item 6**

Resolved that LGR Joint Scrutiny Committee was asked to consider and comment on the proposed Data Strategy for the new Somerset Council and review the proposed deliverables to ensure compliance and give confidence that the Strategy could be practicably achieved.

41 **Interim Technology Strategy for Somerset Council - Agenda Item 7**

Resolved that LGR Joint Scrutiny Board:-

- 1) Noted the key elements of the Interim Technology Strategy,
- 2) Noted the high-level implications and risks,
- 3) Endorsed the interim strategy, with comments made by members.

42 **Customer Strategy and Service Standards - Agenda Item 8**

During the discussion, the following points were raised:-

- Concern was raised on the use of the word 'customer', as council services were not optional and residents did not have a choice to approach another council for services.
The LGR Programme Advisor stated that officers had looked into different wording and agreed that it was not ideal, and that they were

happy to receive any ideas to take back to the Customer Panel for debate.

- Concern was raised on the feedback given to online requests and the standard responses given.
- Councillors queried service standards and alignment.
The LGR Programme Advisor thanked councillors for their comments and advised that work had been carried out to try and align services.
- Concern was raised on some of the language used within the strategy document.
- Councillors queried how the commitments quoted would be monitored.
The LGR Programme Advisor stated that they would use customer satisfaction surveys to monitor service, but that they wanted to be more innovative moving forward.
- Concern was raised that the standards would not be achievable from Day One.
The LGR Programme Advisor stated that work had been carried out along with an audit on standards which had been brought together from the five councils, and that training would be given to ensure standards could be met.
- Concern was raised on the variances given on the response times for letters compared to emails.
The LGR Programme Advisor agreed and would review the response times stated within the strategy.

Resolved that the LGR Joint Scrutiny Committee recommended that the Executive approve the following, including comments and requests made by the Committee:-

- 1) Approve the draft Customer Strategy, Customer Promise and Customer Standards.
- 2) Approve the baseline Service Standards in Appendix D.
- 3) Delegate authority to make any consequential amendments to these service standards following approval of the 2023/24 Budget for Somerset Council, to the Lead Director for Economic and Community Infrastructure and Director of Commissioning.
- 4) Delegate authority to publish and communicate (ii) and (iii) as Interim Service Standards for vesting day, to the Lead Director for Economic and Community Infrastructure and Director of Commissioning.

43 **LGR Programme Risks** - Agenda Item 10

During the discussion, the following points were raised:-

- Councillors suggested that there should be something added to the register for alignment work for district services
The Risk Manager agreed and would look to add to the register.
- Councillors thanked officers for their work on the risk register to help improve services.

Resolved that the LGR Joint Scrutiny Committee noted the Risk Register.

44 **Any Other Urgent Items of Business** - Agenda Item 11

There were no other urgent items of business raised.

(The meeting ended at 5.00 pm)

CHAIRMAN

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Building and Resident Health & Safety Strategy

Executive Member(s): Cllr Bill Revans - Leader of the Council

Local Member(s) and Division: N/A as Somerset wide

Lead Officer: Duncan Sharkey

Author: Teresa Harvey - Assistant Director Housing, Communities & Wellbeing, SDC

James Barrah - Deputy Chief Executive & Director of Housing & Communities, SWT

Peter Hatch - Chief Executive, Homes in Sedgemoor (HiS)

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1. Summary / Background

1.1. Following the Grenfell disaster there are two new pieces of regulation that have been enacted by Parliament and will be phased into law until April 2024. These are:

- the Building Safety Act 2022
- Social Housing Regulation Bill 2022

As the current owners of Social Housing Stock, Sedgemoor District Council (SDC) and Somerset West and Taunton Council (SWT) jointly commissioned an independent Housing Consultant, Savills, to support the development of a Building and Resident Safety Strategy and Action Plan. The early adoption of this Strategy allows for the new Somerset Council (SC) to be in the best position to plan and prioritise actions as we start as one Housing Revenue Account on 1st April 2023.

SDCs housing stock is managed by Homes in Sedgemoor (HiS), an Arms-Length Management Organisation (ALMO). SDC is the sole shareholder of this organisation and HiS has worked closely with SDC and SWT on the development of this strategy.

1.2. The Building Safety Act applies to the owners of social and affordable rented accommodation formally owned by SWT and SDC. SC will be required to manage safety risks, with clear lines of responsibility for safety during design, construction, completion, and occupation of high-rise buildings, of which there is only one in the new estate, Westfield House in Bridgwater. The Building Safety Regulator will also require a golden thread of information, with safety considered at every stage of a building's lifetime. SC will be required to report to the Building Safety Regulator annually.

The Social Housing Regulation Act aims to deliver a number of measures to give tenants greater powers, improve access to swift and fair redress, and

enhance the powers of the Regulator of Social Housing.

- 1.3.** To ensure that SC is ready to meet those statutory obligations, the Building and Resident Health & Safety Strategy has been developed and via adherence to the provisions of this Strategy, SC will be able to ensure full compliance with its Regulatory, Statutory and Legislative obligations and requirements as a Registered Provider and be able to provide relevant evidence and assurance to Officers, Council Members, Residents and any/all other relevant stakeholders that this is the case. This also a product of the LGR Housing 1 – Housing Landlord Functions sub workstream.
- 1.4.** The draft Strategy attached as Appendix A and associated Action Plan as Appendix B. Please note that the Strategy is in its infancy and will continue to evolve after vesting day which will include the development of all associated appendices to the Strategy.

2. Recommendations

2.1. It is recommended that the Executive;

- a) approves the adoption of the Building and Resident Health & Safety Strategy and its associated Action Plan.
- b) recognises and accepts the Corporate Accountability as set out within Section 5 of the Strategy to ensure the safety of our Buildings and Residents and develop the appropriate reporting and monitoring structure to ensure full compliance.

3. Reasons for recommendations

- 3.1** The primary reason for the recommendations is to ensure SC is able to respond to new statutory regulations as the new Building Safety Act continues to be and is fully enacted in 2024.
- 3.2** The early adoption of the strategy provides an excellent pathway to support the alignment of policies, procedures and operating methods as the two housing operating models are managed in one Housing Revenue Account.
- 3.3** As the new Council embeds, the Strategy clearly outlines the specific roles, responsibilities and accountabilities of both Council Officers and Members for implementation of the measures and commitments set out within it.
- 3.4** In respect to the Building Safety Act, this piece of legislation has wide-ranging implications and as such is intended to be implemented by Central Government over a transitional timetable extending into 2024. This is also the case for many of the reforms and changes intended to be introduced by the Social Housing Regulation Bill 2022.

4. Other options considered

- 4.1.** There were no other options considered as the Building Safety Act will be enacted early in 2024 and SC needed to be in a strong position, to meet those regulatory requirements.

5. Links to County Vision, Business Plan and Medium-Term Financial Strategy

- 5.1.** The new corporate plan is currently being developed.
- 5.2.** This decision to adopt the Building and Resident Health & Safety Strategy will ensure services are safe and legal from vesting day.

6. Consultations and co-production

- 6.1.** Co-production by the two District Councils through the LGR Housing 1 – Housing Landlord Function sub workstream, including joint senior officer workshops led by appointed consultants Savills.

Homes in Sedgemoor' s (HiS) primary channel for consultation will be via the Sedgemoor Tenants Assurance Committee (STAC) which is a sub-committee of HiS Board, comprised of residents with a remit of gathering and monitoring

customer insight, ensuring that customers' experiences are influencing services and of therefore bringing customers closer to the Board. STAC will be considering the Strategy at their meeting on 12th January 2023. Information will also be included on the HiS website in due course.

The Building and Resident Safety Strategy is also specifically referenced in the HiS Customer Influence and Engagement Strategy 2022-2025 which is being presented for HiS Board approval on 31st January 2023.

SWT have undertaken informal engagement with its Tenants Strategic Group on the draft strategy and sought feedback at meetings on 16th and 30th January.

Informal and formal engagement with Council Members is planned as follows:-

Date	Meeting		Comments
17 October 2022	Executive/SLT	HRA Briefing Paper	Brief introduction to Building Safety Act
31 January 2023	Homes in Sedgemoor Board	Draft BRHSS	Approve Strategy subject to ratification for Somerset Council.
01 February 2023	SAI Board	Draft BRHSS	To endorse report and strategy
02 February 2023	LGR Programme Board	Draft BRHSS	To endorse report and strategy
06 February 2023	Executive/SLT	Draft BRHSS	Presentation from Savills to endorse report and strategy
02 March 2023	Joint Scrutiny	Draft BRHSS	To endorse report and strategy
15 March 2023	Executive	Draft BRHSS	Recommendation Adoption of Strategy

BRHSS - Building and Resident Health & Safety Strategy

6.2 The Service Alignment Board has been consulted and endorsed the report,

draft Strategy and Action with minor amendments on 1st February 2023.

6.3 The Programme Board was consulted and endorsed on 2nd February 2023.

6.4 The Executive SLT was consulted and endorsed the report on 6th February 2023.

7. Financial and Risk Implications

7.1. The Action Plan (Appendix B) when fully developed, will identify the actions that need to be implemented by SC to ensure compliance with the Act. The funding for these compliance actions will be found within the Housing Revenue Account (HRA). However, there will be a financial impact on the HRA which may result in balancing the overriding Health and Safety of the Estate and its tenants, with the ambitions of the overall improvements of the Estate including the Climate Change Retrofit programmes.

7.2. Failure to comply with the Building Safety Act sits under the overarching risk of Regulatory and Compliance failures within the Housing Landlord Function Service and the early adoption of this Strategy will mitigate such risks.

Inherent (current) risk score

Likelihood	3	Impact	4	Risk Score	12
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Projected (residual) risk score

Likelihood	3	Impact	3	Risk Score	9
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8. Legal and HR Implications

8.1. The Building and Resident Health & Safety Strategy and Action Plan has been drafted in response to the Building Safety Act 2022 and the Social Housing Regulation Bill 2022, new pieces of regulation that will apply to the new Somerset Council as a residential landlord (though the strategy is wider than these two pieces of legislation). The adoption of the Building and Residential Health & Safety Strategy puts SC in a pre-emptive position to plan and comply with the new regulations in good time.

8.2. The Building Safety Act 2022 sets out safety requirements for the Council as a landlord of higher-risk buildings. Higher-risk buildings are at least 18m or 7 storeys high, with 2 or more residential units. The safety rules cover the different stages of building which includes not only the design, planning and construction stage but also post construction whilst tenants and leaseholders live in the building. The new rules therefore apply to existing higher-risk buildings which are occupied by council tenants and leaseholders.

The Act focuses on the 'building safety risk. It establishes a new building safety regulator, a role which will be fulfilled by the Health and Safety Executive with new powers to enforce and regulate the requirements of the Act. The Act also requires the appointment of an accountable person who will have an ongoing duty to ensure the fire and structural safety of the building and will be responsible for making sure that statutory obligations for higher-risk buildings are met. The Accountable Person will have a duty to assess building safety risks and take reasonable steps to prevent/control the impact of incidents in the building caused by those risks. It must also produce a 'Safety Case Report' to demonstrate that it has assessed the building safety risks and show how it will meet its ongoing duty. This must be kept up to date. A 'golden thread' of information regarding a building must be created, stored and kept up to date throughout the building's life. The intention is that the right people should be able to access the right information at the right time to ensure that buildings are safe and building safety risks can be properly managed.

The Strategy and Action Plan are an extremely important part of the council's governance of its statutory building safety requirements and duties, setting out how the council will ensure compliance with those requirements and duties, with both officers and members having key strategic responsibilities, and provides a means for monitoring and auditing compliance and holding those officers and members to account for resident and higher-risk building health and safety.

HR implications will be dealt within the new structure of SC. However, specific attention will be required on how the Key Strategic Roles and responsibilities will be resourced and managed. Section 5 of Strategy identifies the roles for Senior Officers and Council Members.

9. Other Implications

9.1. Equalities Implications

The Strategy is the overall system framework to ensure that all people living in their social/affordable rented accommodation are assured that their homes are safe to live in including any adaptations to the properties that may be required to keep them safe. If tenants, they need to raise any issues regarding building or community safety, that they are both safe and their voices are heard and acted upon by SC.

There will be a number of residents that are in the protected groups and all

policies and procedures will take those protections into account.

9.2. Community Safety Implications

The Strategy details our accountability to residents specifically in the physical safety of their homes. However, there is an emphasis on listening to the 'Tenants Voice' which gives them the opportunity to become more involved in decision-making regarding the management and delivery of services their home and neighbourhood. Communication improvements and subsequent actions should have a positive impact on the perception of community safety and the overall wellbeing of our tenants.

- 9.3.** The Strategy sets out what needs to be actioned, with many of those actions requiring physical improvements to the housing stock and as such there are no immediate sustainability implications. However, all improvements will be approved individually, and the potential sustainability impact (positive or negative) will be set out for consideration of Council Members as works are approved. As a matter of course, all stock improvements are considered with sustainability as a priority.
- 9.4.** Section 4 of the Strategy (Appendix A) and Action Plan (Appendix B) sets out how SC will meet its statutory compliance including how it will be monitored, giving Councillors assurance through formal reporting structures and reported to the Social Housing Regulator. The Corporate Accountable person (Chief Executive) responsibility will need to ensure appropriate reporting structures are developed.

9.5. Health and Wellbeing Implications

Section 6 of Strategy sets out requirements of the Social Housing Regulation Bill and the Regulator for Social Housing's Tenant Involvement and Empowerment Standard and Customer Satisfaction Measures which includes for the provision of/access to information for residents relating to the key health and safety-related risks of the building they occupy as their home.

By putting in improved and appropriate communications for Tenants to report issues, complain or suggest improvements it is likely the overall feeling wellbeing will improve.

9.6. Social Value

At this point there is no procurement planned. However, as the delivery of the Action plan proceeds this will include procurement exercises, each of which will be reported individually, and will seek to secure the wider social, economic, and environmental benefits as defined by the Public Services (Social Value) Act. SC's Social Value Policy.

10. Scrutiny comments / recommendations:

- 10.1.** That the proposed decision has not yet been considered by a Scrutiny Committee as the Joint Scrutiny meeting will be on 2nd March 2023 and any recommendations will be included in the Key Decision report for the Executive meeting on 15th March 2023.

11. Background

- 11.1.** The Building Safety Act was granted Royal Assent and passed into law on 28 April 2022.

The Act is a central element of the Government's response to the Grenfell disaster of 14 June 2017 and is "intended to secure the safety of people in or about buildings and to improve the standard of buildings." The Act is being introduced in stages and will be fully enacted by 2024. The main provisions are outlined below.

Part 2: The Building Safety Regulator

This Part creates a new Building Safety Regulator (BSR), charged with certain specific objectives, guided by given regulatory principles, and subject to a series of duties with regard to building safety. Those objectives are to:

- a) secure the safety of people in and around buildings and
- b) improve the standard of buildings

The BSR's primary duty will be to facilitate building safety in higher-risk buildings (18m or more in height or having at least 7 storeys usually). Other duties will include:

- assisting with regulation
- establishing and engaging a formal Residents' Panel
- establishing a new Building Advisory Committee

The BSR will have a number of powers to require fire and rescue, local authorities or others to assist them in their duties with criminal offences in place for failure to provide information or for the provision of misleading

information.

Part 3: A New Building Control Regime

This section amends the Building Act (1984) and establishes Higher Risk Buildings as 18 m in height or having at least 7 storeys and enables a new building control regime

dedicated to such buildings as well as a new system of registration and supervision of building inspectors and ‘approvers’ .

A “Gateway” approach to development is introduced to ensure building safety is considered at each stage of a buildings design and construction, and to create ‘a golden thread’ of information about the design and construction process to ensure buildings are safe and building safety risks managed throughout the building’ s lifecycle. It becomes a criminal offence to contravene Building Regulations.

Part 4: Management of Safety in Higher Risk Buildings

a) Assessment and Management of Risks

A building safety risk is defined as “a risk to the safety of people in or about a building arising from spread of fire, structural failure or any other prescribed matter with an HRB in this context being a building that is at least 18m in height or has at least 7 storeys and contains at least 2 residential units or as otherwise as may be prescribed” .

In terms of Safety Management Duties, Part 4 establishes a duty for HRBs to be registered and, if directed by the BSR to apply for and display (section 82) a building safety certificate. It also creates a series of ‘relevant duties’ , that include:

- a duty to assess building safety risks
- a duty to take relevant steps to manage building safety risks
- a duty to prepare and provide to the BSR a ‘safety case report’
- duties relating to mandatory occurrence reporting, with criminal sanction for noncompliance,
- duties to provide information to the regulator and others including residents, in effect to achieve ‘the golden thread’ of information, and
- a duty to produce a residents’ engagement strategy to

promote participation in making building safety decisions

11.2. Earlier this year the Social Housing Regulation Bill was introduced to Parliament. The Bill aims to deliver the proposals set out in the Social Housing White Paper by introducing a number of measures to give tenants greater powers, improve access to swift and fair redress, and enhance the powers of the Regulator of Social Housing.

The Bill seeks to improve the regulation of social housing by bringing forward a stronger and more proactive regulatory regime and putting in place the measures set out in the Social Housing White Paper.

The measures announced under the Bill will for example:

- Enable the regulator to intervene with landlords who are performing poorly on consumer issues and guarantee timely action where the regulator has concerns about the decency of a home
- Enable the regulator to inspect landlords and arrange emergency repairs to ensure tenants are provided with good quality accommodation
- Provide tenants with greater transparency about their landlord's performance by introducing a new set of Tenant Satisfaction Measures
- Enable tenants to access information related to the management of social housing
- Add safety to the regulator's objectives and require registered providers to appoint a health and safety lead
- Require the housing ombudsman and the regulator to cooperate to provide better protection for tenants

11.3. As a responsible landlord provider of social and affordable rented accommodation an overall strategy was commissioned for maximising the safety of building which represent that accommodation and the health and safety of the residents (whether tenant or Leaseholder) who occupy these building as their home. This strategy also includes the requirements of the Social Housing Regulation Bill.

11.4. Strategy attached as Appendix 1 sets out how SC will operate an overall System/Framework to ensure the fulfilment of its obligation and requirements regarding building and resident health.

12. Background Papers

12.: HRA Briefing Paper (Appendix C)

Report Sign-Off

		Date completed
Legal Implications	Honor Clarke	10/02/23
Governance	Scott Wooldridge	08/02/23
Corporate Finance	Jason Vaughan	26/01/23
Customers, Digital and Workforce	Chris Squire	27/01/23
Property	Paula Hewitt / Oliver Woodhams	03/02/23
Procurement	Claire Griffiths	19/01/23
Senior Manager	Duncan Sharkey	23/01/23
Commissioning Development	Sunita Mills / Ryszard Rusinek	18/01/23
Executive Member	Cllr Bill Revans - Leader of the Council	27/01/23
<u>Sign-off Key Decision / Consulted on Non-Key Decision</u>		
Local Member	Click here to identify the local member(s) N/A as Somerset wide	Click or tap to enter a date.
Opposition Spokesperson (Key decisions consult / non key decisions inform)	Opposition Spokesperson - Leader - Cllr David Fothergill	19/01/23
Scrutiny Chair (Key decisions consult / non key decisions inform)	Scrutiny Committee – Joint Scrutiny for Local Government Reorganisation Committee- Cllr Bob Filmer	05/02/23
Scrutiny Chair (Key decisions consult / non key decisions inform)	Scrutiny For Policies - Adults and Health Committee - Cllr Rosemary Woods	18/01/23
Scrutiny Chair (Key decisions consult / non key decisions inform)	Scrutiny for Policies - Childrens and Families - Cllr Leigh Redman	03/02/23
Scrutiny Chair (Key decisions consult / non key decisions inform)	Scrutiny for Policies and Place Committee - Cllr Gwil Wren	29/01/23
Scrutiny Chair	Scrutiny For Policies and Environment	10/02/23

(Key decisions consult / non key decisions inform)	- Cllr Martin Dimery	

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer

Version	1	Date	29 December 2022
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Description of what is being impact assessed

The Building and Residential, Health and Safety Strategy 2023 to 2025

Building Safety Act 2022:

The Act applies to building owners and the built environment industry including those who commission building work and participate in the design and construction process.

The focus of the Act is on high-risk buildings which are described as high-rise buildings that are at 18 metres or 7 storeys high. The estate of the new Somerset Council will have one such building, Westfield House, Bridgwater.

Social Housing (Regulation) Bill 2022:

The bill aims to deliver the proposals set on the white paper – increasing protection for tenants and empowering them against landlords.

1. Broadening the remit of the Regulator of Social Housing (RSH)
2. Strengthening consumer feedback regime
3. Increasing transparency

This is a high level impact assessment, with further impact assessments being undertaken as policies are developed.

Evidence

What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset's Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#),, should be detailed here

The strategy is the overall system framework to ensure that all people living in their social/affordable rented accommodation are assured if they need to raise any issues regarding building or community safety, that they are both safe and their voices are heard

and acted upon by the Council.

There will be number of residents that are in the protected groups and all policies and procedures will take those protections into account.

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> A significant number of our residents are over the age of 60. Those living in high rise accommodation 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disability	<ul style="list-style-type: none"> PEP Any information should be accessible to all, including recognising the needs of individual tenants who may require further support Active involvement of residents should ensure that a broad 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	<p>range of residents are involved so there their particular issues and concerns are heard</p> <ul style="list-style-type: none"> All people are aware of safe egress of buildings and any additional provisions made relating to their disability 			
Gender reassignment	<ul style="list-style-type: none"> There are no impacts identified 	□	⊗	□
Marriage and civil partnership	<ul style="list-style-type: none"> There are no impacts identified 	□	⊗	□
Pregnancy and maternity	<ul style="list-style-type: none"> All people aware of safe egress of buildings 	□	□	⊗
Race and ethnicity	<ul style="list-style-type: none"> Active involvement of residents should ensure that a broad range of residents are involved so there their particular issues and concerns are heard Where needed support for residents where English isn't their first language should be given support to ensure that they understand matters such as health and safety and can access information 	□	⊗	□
Religion or belief	<ul style="list-style-type: none"> There are no impacts identified 	□	⊗	□

Sex	<ul style="list-style-type: none"> Active involvement of residents should ensure that a broad range of residents are involved so their particular issues and concerns are heard 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<ul style="list-style-type: none"> There are no impacts identified 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> Active involvement of residents should ensure that a broad range of residents are involved so their particular issues and concerns are heard 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
N/A	Select date			<input type="checkbox"/>

If negative impacts remain, please provide an explanation below.

Please note that an Action Plan forms part of the Building and Residential Health and Safety Strategy and this will ensure that any additional actions identified from this initial impact assessment are picked up.

Completed by:	Teresa Harvey
Date	6th January 2023

Signed off by:	Angela Farmer
Date	9th January 2023
Equality Lead/Manager sign off date:	
To be reviewed by: (officer name)	
Review date:	

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APPENDIX A



Somerset Council

**Building and Resident Health and
Safety Strategy**

2023 – 2025

Contents:

- 1. Aim/Purpose**
- 2. Scope**
- 3. Our Obligations for Building and Resident Health and Safety – including Higher Risk Residential Buildings**
- 4. Building and Resident Safety as a System/Framework**
- 5. Key Strategic Roles and Responsibilities**
- 6. Our Accountability to Residents – including the provision of/access to information**
- 7. The Importance of Competence**
- 8. External, Independent Third-Party Scrutiny**
- 9. Amendment Log/Version Control**
- 10. Appendices**

1 Aim/Purpose

- This Strategy seeks to make clear the Council's – as a responsible landlord provider of social/affordable rented accommodation – overall approach for maximising the safety of the buildings which represent that accommodation and the health and safety of the residents (whether tenant, leaseholder or shared owner) who occupy these buildings as their home
- This Strategy is supported by a range of associated Policy and Procedural/Process Documents (including, though not limited to, those including as **Appendices** below) which are intended to provide clear operational guidance to support the service delivery of the strategic aims and objectives set out within it
- Via adherence to the provisions of this Strategy, the Council intends to ensure full compliance with its Regulatory, Statutory and Legislative obligations and requirements as a Registered Provider – and be able to provide relevant evidence and assurance to Officers, Council Members, Residents and any/all other relevant stakeholders that this is the case
- This Strategy aims to make clear the specific roles, responsibilities and accountabilities of both Council Officers *and* Members for implementation of the measures and commitments set out within it – as well as both the rights *and* responsibilities of residents (in particular regarding access) in relation to building safety
- In respect to the Building Safety Act, this piece of legislation has wide-ranging implications and as such is intended to be implemented by Central Government over a transitional timetable extending into 2024. This is also the case for many of the reforms and changes intended to be introduced by the Social Housing Regulation Bill 2022. This is reflected within our own 'Building and Resident Health and Safety Action Plan' which is to be fully developed. This will set out the key steps and stages to be implemented in order to ensure the Council meets the full range of its regulatory, statutory and legislative obligations and requirements. (This work will not commence until after Vesting Day.)

2 Scope

- This Strategy relates specifically and exclusively to the Council's landlord function and responsibilities in respect to the letting and management of – and service delivery to – social and affordable rented accommodation plus leaseholders and shared owners in locations of mixed tenure
- The provisions of this Strategy are therefore considered to be applicable to the following accommodation:
 - All Domestic Properties within the Housing Revenue Account (General Needs Housing, Supported Housing, and Independent Living Schemes)
 - All Non-Domestic Properties within the Housing Revenue Account (Internal and External Communal Areas, Offices, Community Centres, Garages and Remote Plant)
 - Other (non-Housing Revenue Account) Domestic Properties for which the Council is the Landlord (Cemetery Lodges, Temporary Accommodation etc.),
 - Leaseholders and Shared Owners when this accommodation is located within relevant, applicable buildings on a mixed tenure basis
- Where properties are leased from third-party property owners, responsibility for building and resident health and safety obligations and requirements will be detailed within the Terms of the Lease/Management Agreement. Where responsibility lies with the property owner, the Council will nonetheless instigate appropriate checks that the relevant certifications and other documentation is in place and establish full assurance that the accommodation involved is safe *in advance of occupation and use*
- For any organisation carrying out the landlord function/role on behalf of the Council – including the planning, management, service delivery of (and reporting upon) building and resident health and safety obligations and requirements – the full acceptance of, and evidenced compliance with (via submission of an 'Annual Building and Resident Health and Safety Compliance Assurance Statement' to the Council), the provisions of this Strategy will be a prerequisite of them fulfilling this function/role
- As reflective of the Council's approach and commitment to the active involvement of residents in matters of building and resident health and safety – as set out within Section 6 – this Strategy document itself has been produced in partnership and consultation with residents themselves and will continue to be so in respect to both all periodic reviews of its content and in respect to any major changes made necessary by changes to regulation/statute/legislation

3 Our obligations for Building and Resident Health and Safety – including Higher Risk Residential Buildings (HRRBs)

- There are a significant and diverse range of Regulatory, Statutory and Legislative obligations for the Council as a landlord in respect to specific areas of building and resident health and safety – in particular the so-called ‘Big 6’ activity/risk areas of Gas, Electrical, Fire, Asbestos, Water and Lifts – and these are set out in detail within the operational Policy Documents
- In addition, the Council has landlord obligations which are general/broader in nature – i.e. that do not apply exclusively to one, singular activity/risk area in regard to building and resident safety – which are established via legislation, including (though not limited to):
 - Landlord and Tenant Act 1985
 - Health and Safety at Work Act 1974
 - Housing Act 2004
 - Housing Health and Safety Rating System 2006
 - Building Regulations 2010
 - Homes (Fitness for Human Habitation) Act 2018
- The Council also fully recognises the role and importance of the Regulator of Social Housing (RSH) and the obligation and requirement of the Council as a Registered Provider (RP) landlord to comply with its Consumer Standards – and specifically in respect to building and resident health and safety the Home Standard (Part 1.2b) and its requirement that all RPs must:

“meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes”
- Specific obligations and requirements for the Council are also established via the Building Safety Act 2022 in respect to Higher Risk Residential Buildings (HRRBs – including their initial registration from April 2023), as subject to the regulatory jurisdiction of the Building Safety Regulator (within/as part of the Health and Safety Executive)
- HRRBs are defined as buildings of at least 18metres/7 storeys in height, plus containing at least 2 residential dwellings. In respect to the Council’s Housing Stock as at the introduction of this Strategy, the following buildings meet this definition:

No.	Building Address	Description	Height and No. Storeys
1	Westfield House, West Street, Bridgwater, TA6 3RJ	61 individual flats with communal laundry	11 storeys and 30 m in height
2			
3			
4			

- In respect to HRRBs, as required by the Building Safety Act, the Council must clearly designate an **Accountable Person** responsible for each of these

buildings – and *this Accountable Person must proactively manage and assess building safety risks (in respect to both (i) the potential Spread of Fire and (ii) Structural Failure to a degree which places at risk the health and safety of multiple residents, visitors and others in the building vicinity) including via a Building Safety Case and Safety Case Report which they are required to initially compile, keep up to date and submit to the Building Safety Regulator*

- Details of all the Council's Accountable Persons in respect to the above HRRBs are contained within Section 5 (Key Strategic Roles and Responsibilities) of this Strategy
- The detail of the Council's operational approach – including its prescribed format /scope for the required Building Safety Case and Safety Case Report – to its HRRBs and the requirements of the Building Safety Act, will be set out within our 'Building Safety Policy'.
- The Council's clear position – across all the above Regulatory, Statutory and Legislative obligations and requirements – is one whereby compliance with these represents the minimal position to be achieved and retained
- It must also be highlighted that, in order to fulfil its obligations and requirements as a responsible landlord in respect to building and resident health and safety, the Council requires *active co-operation from (and the support of) residents themselves*. This can take the form of, for example, allowing access to individual homes for the purpose of various Servicing/Inspection/Risk Assessment activities and/or ensuring communal areas – particularly in the context of emergency exit routes/points – are kept clear of obstructions
- The Council is aware that it receives such co-operation and support from the vast majority of residents, whether tenants or leaseholders. However, in circumstances whereby this is not the case the Council will not hesitate to use its full range of legal enforcement powers in the interests of maintaining the health and safety of the majority of residents

4 Building and Resident Safety as a System/Framework

- The Council operates an overall System/Framework – of which this Strategy forms a part – to ensure the fulfilment of its obligations and requirements regarding building and resident health and safety, comprising:
- A suite of Building Safety and Resident Health and Safety/Landlord Compliance Policies
- Procedures and Processes (within Management Plans) to deliver each of these Policies
- Data Management and Control Protocols
- Performance Management (Monitoring and Reporting)
- Quality Assurance
- Resources

This overall System/Framework is further illustrated below:

Figure 1



- Each of these individual elements contributes, as set out above and detailed below, to the operation of an overall System/Framework by the Council whereby it seeks to maximise the level of assurance that its landlord service's buildings (and the residents within them) are and continue to be safe:

Policies: These serve to establish the landlord organisation's awareness and acknowledgement of its regulatory, statutory and/or legislative obligations and requirements in respect to the building and/or resident health and safety hazard/risk concerned and provide the opportunity for the overall approach to fulfilling these to be set out and described at the high(er) level.

Procedures and Processes: These provide considerably more detail as to the approach followed in order to ensure that the building and/or resident health and safety

hazard/risk concerned is being managed appropriately and in order to meet regulatory, statutory and/or legislative requirements. The key emphasis for these Procedures and Processes – often referred to as ‘Management Plans’ – is that they should (i) describe and provide detail for all of the activities to be undertaken (ranging from the initial identification of the risk/hazard, to the completion of all relevant activities such as Servicing/Inspection/Risk Assessment and any Remedial Works/Actions, the completion of related certification and Quality Assurance/Quality Control activities) on a complete, ‘end-to-end’ basis and (ii) ensure that all of these key activities are linked to specific job roles/postholders so as to establish clear accountability for delivery.

Data Management/Control: It is vital to ensure that the data which is held and retained by any landlord in respect to their building and resident health and safety obligations and requirements is both initially – and continues to be – accurate and consistent. If, for example, changes take place to the landlord’s Housing Stock (such as the addition of new properties via new development or the reverse and removal from the Stock via demolition/disposal) then these need to be reflected and updated within the datasets which identify, record and provide reporting upon the delivery of the building and resident safety activities required at them (i.e. reconciled and validated). The absence and/or failure to operate effectively such data management and controls (and to both document these and link their operation to key, specific job roles/postholders) increases the risk that the level/quantity of the building and resident safety activity involved is recorded incorrectly – and the possibility that such essential activities and obligations such as Servicing/Inspections/Risk Assessments and Remedial Works/Actions are going unmet.

Performance Management: It is vital for those with service delivery, managerial and governance/oversight responsibility for the landlord service’s building and resident health and safety obligations and requirements to have visibility of performance levels – not least in order to establish clear accountability for non-delivery. In this respect the regular, routine monitoring and reporting of Key Performance Indicators (KPIs) is a key element of this Council’s overall System/Framework for ensuring compliance with its building and resident health and safety responsibilities – with these encompassing, but not being limited to, the requirements of the Regulator of Social Housing and its Tenant Satisfaction Measures (TSMs) effective from April 2023 and ensuring visibility of all applicable and relevant Servicing/Inspection/Risk Assessment and resulting Remedial Works/Actions activity.

Quality Assurance: Measures to continually monitor – and provide feedback in order to promote improvement in – the quality and effectiveness of service delivery for building and resident health and safety activities include the maintenance and updating of Risk Registers, Internal and External Audit Programmes, sample-based Post-Inspections of completed works and the pursue of external good/practice accreditation from recognised trade/safety bodies. All such measures serve to provide additional assurance and provide an additional, external ‘line of defence’ against the possibility of internal-only Performance Management and/or Reporting upon building and resident health and safety issues reflecting a tendency for the landlord service to ‘mark its own homework’.

Resourcing: This final, crucial aspect of any effective System/Framework to ensure building and resident health and safety represents the human ‘capital’ invested by the landlord provider – in the form of the skills, experience and competence of those Staff (both from within the organisation itself and also those of external partner organisations, such as works contractors) deployed upon this vital, complex and challenging area of work. Since the Grenfell Tower Disaster of 2017, the ability of any landlord organisation

to demonstrate and evidence the competency and capability of those Staff Resources it has involved in building and resident safety works has been an increasing of regulatory and legislative change – as reflected in its specific inclusion at Section 7 of this Strategy.

5 Key Strategic Roles and Responsibilities

- Several key posts, positions and groups at the Council – *in respect to both Officers and Members* – have key strategic responsibilities in ensuring that the Council's aforementioned (see Section 4) overall System/Framework for building and resident health and safety operates effectively
- These key posts and positions are itemised below, including a description of the nature and details of the strategic responsibilities involved. However, subject to final confirmation from the Regulator of Social Housing as it makes operational decisions within the Social Housing Regulation Bill. These are the proposals for the roles and responsibilities

Role	Responsibilities
Lead Member	This will be reviewed post vesting day in accordance with the Constitution and the emerging view of the Regulator on the role of Councillors. Currently, the Lead Member is seen as equivalent to the Chair of Housing Association in most of the guidance so far issued.
Executive	As above. Regulator seems to be deeming the Executive as the equivalent of the Board of a Housing Association.
Chief Executive (Somerset Council)	The Duty Holder - seen as the primary role with operational responsibility for implementation.
Corporate Director - Communities	Responsible Person – with responsibilities to support the Duty holder in the process of implementation.
Service Director- Housing	Responsible Person – with responsibilities to support the duty holder in the process of implementation.
Head of Landlord Compliance/Resident H&S	Directly Responsible Operational Manager (Directly operation in the Landlord Services (HiS Director of Asset Management and Safety and Somerset Council retained Landlord Service – Assistant Director Housing Property,)
Accountable Person (Westfield House – High Risk Residential Building, Bridgwater)	A legislative requirement of the Building Safety Act 2022. Chief Executive Somerset Council – operational support provided by HiS Director of Asset Management and Safety.
Senior Resident Health and Safety Contact and Liaison Officer (example title only)	Post holder of sufficient seniority to drive a Health and Safety Culture and be fully accessible to residents. The appointment will be confirmed once the Social Housing Regulation Bill I has been enacted.

6 Our Accountability to Residents – including the provision of/access to information

- The Council recognises and embraces the increased expectations – resulting from the Grenfell Tower disaster of 2017 and its subsequent Public Inquiry, in addition to the requirements of the Social Housing Regulation Bill and the Regulator for Social Housing’s Tenant Involvement and Empowerment Standard and Customer Satisfaction Measures – for the provision of/access to information for residents relating to the key health and safety-related risks of the building they occupy as their home as per Clauses 91 and 92 of the Building Safety Act 2022
- This commitment of the Council extends from the commencement of any tenancy and exists for its entirety, and is also ‘tenure neutral’ in respect to any accommodation in which different tenures are present – leaseholders will be provided with the same building and resident health and safety information, and access to the same in-person access point (see Section 5 - Senior Resident Health and Safety Contact and Liaison Officer) for the highlighting and subsequent discussion of any concerns
- As part of its wider commitment to the active involvement and participation of residents, the Council will also invest – via relevant, targeted training and ongoing support – in building their capacity, capability and skills in order to enable them to undertake effective scrutiny, challenge of (and positive engagement with) matters of building and resident health and safety
- The Council will operate a diverse range of methods and access points for residents in respect to health and safety-related information about the building in which they live, as well as active opportunities to become involved in decision-making regarding the management and delivery of services to their home – as summarised below:

Building and Resident Health and Safety Information Provision/Access Route	Details	Key Council Contact Point
TBA		
Resident Involvement Forum/Method	Details	Key Council Contact Point
TBA		

- The Council will measure the impact and success of its provision of building and resident health and safety information and opportunities for active involvement to residents via the Regulator of Social Housing’s Tenant Satisfaction Measures, relative to the targets set out below:

Tenant Satisfaction Measure	Measurement Method	Council Target 2023-24
TP04: Satisfaction that the home is well maintained and safe to live in	Measured by doing tenant perception surveys	TBC
TP08: Satisfaction that the landlord keeps communal areas clean, safe and well maintained	Measured by doing tenant perception surveys	TBC

- The Council accepts that it is entirely legitimate for residents to also seek to raise issues and concerns relating to building and resident health and safety within the Council’s Housing Stock via our Customer Complaints Procedure and/or via contact with their local Council Member, or Member of Parliament or other representative or Agency (for example the Health and Safety Executive, Building Safety Regulator etc.)
- The Council also recognises (and indeed positively supports) the role, function and purpose of the Independent Housing Ombudsman Service in circumstances of resident dissatisfaction – which can include matters of building and resident health and safety. The Council will maintain full, unconditional adherence to the Housing Ombudsman’s Complaint Handling Code April 2022 – and evidence this via completion and publication of an Annual Self-Assessment against that Code
- In all such cases, the Council’s focus *will clearly be upon addressing the nature and substance of the building and resident health and safety issue/s involved* rather than considerations as to whether the correct ‘process’ route has been followed by the resident in raising their concern/s
- In addition, and as part of its commitment to the creation and maintenance of a positive health and safety culture, the Council’s primary focus – alongside the resolution of the issues raised by the complainant to their satisfaction – from building and resident health and safety related complaints (whether formal or received as some other form of expressed dissatisfaction) will be upon actively learning lessons from these which can improve any aspect/element of our approach and practices thereafter

- *For example*, this will include the broader consideration of complaints as they relate to building and resident health and safety so that if these relate to a particular building archetype/design/feature – and this is shared with another location/s – then appropriate consideration will be given to the application of any identified solution/s (including further, follow-up investigations and surveying activity, remediation works et al) to all these common locations

7 The Importance of Competence

- The Council – as set out in detail, including individual roles and responsibilities, within the range of operational Policies (and their supporting Procedures) – operates clear thresholds, standards and expectations for the professional competence and expertise of all those individuals, organisations (including external contractors/service providers) and agencies which are or become involved in the management, repair, maintenance and/or refurbishment of the buildings which make up its social/affordable rented Housing Stock
- The application and adherence to the Council's competency thresholds, standards and expectations – and actively raising any concerns that these may not have been applied and hence compromised – are generic responsibilities of all Council Staff
- In addition, the position of (see Section 5 – Key Strategic Roles and Responsibilities – TITLE) retains specific responsibility for maintaining the Council's 'Landlord Compliance/Resident and Building Safety Competency Matrix' which will set out the involved competency thresholds, standards and expectations and their consistent application within the range of operational Policies which form a key part of the Council's overall System/Framework (see Section 4) for maintaining building and resident health and safety
- This Matrix will also assist in the shaping of the Council's approach and delivery plans for the internal training and development of all those with roles and responsibilities relating to building and resident and health and safety (as set out in Section 5) in order to improve capacity, capability and skills – encompassing, as a minimum, Council Officers, Council Members and engaged residents
- In respect to (as referenced above) external contractors/service providers which may be engaged by the Council to work in the management, repair, maintenance and/or refurbishment of the buildings which make up its social/affordable rented Housing Stock, it must be emphasised that the Council's thresholds, standards and expectations for their professional competence and expertise apply on a continuous, ongoing basis – *and not only upon their initial contractual appointment*
- The Council's approach (including individual Officer/s responsibilities) to the continuous management and oversight of its contractors – including those engaged in building and resident health and safety activities – and the establishment of regular, routine assurance as to their competence will be set out within its 'Contractor Management Policy'

8 External, Independent Third-Party Scrutiny

- The Council is committed to the regular, routine involvement of External, Independent Third-Party organisations in the active scrutiny of its approach to ensuring building and resident health and safety – and welcomes the positive impact and impetus to continuous improvement which such external oversight and involvement can bring
- As a minimum, the Council's commitment to maintaining its openness to external scrutiny and accountability in respect to building and resident health and safety includes:
 - Independent External Audit (IEA) arrangements targeted upon both individual aspects of building and resident health and safety (for example, though not limited to, the 'Big 6' activity/risk areas) as well as foundational, cross-cutting elements of the Council's wider System/Framework as Data Management/Control, Performance Management, Quality Assurance and Resourcing (Lines of Defence/Separation of Duties et al)
 - Works-Based Quality Assurance/Quality Control (QA/QC) regimes focussed upon key building and resident health and safety-related activities and risks – designed, developed and implemented in consultation with and the involvement of residents within our HRRBs
 - Active, co-regulatory engagement with the Regulator of Social Housing in respect to evidenced compliance with its Consumer Standards, including – though not limited to – the Home Standard and its requirements regarding building and resident health and safety, the submission of Annual Returns including those relating to Tenant Satisfaction Measures (see Section 6)
 - Similar active, open engagement with the Building Safety Regulator in respect to the submission of Building Safety Cases/Safety Case Reports regarding the Council's Higher-Risk Resident Buildings (HRRBs) and any and all subsequent dialogue which may result

9 Amendment Log/Version Control

9.1 Revision Detail/Record:

Date of Revision:	Record of Amendments:	Reason for Revision:	By Whom: Name and Title

10 Appendices (*SWT and HIS currently have separate Building Safety policies but there will be single policies developed as this Strategy evolves.*)

1. 'Building and Resident Health and Safety Action Plan 2023-2025'
2. 'Annual Building and Resident Health and Safety Compliance Assurance Statement' Proforma
3. 'Gas and Carbon Monoxide Safety Policy'
4. 'Electrical Safety Policy'
5. 'Fire Safety Management Policy'
6. 'Asbestos Management Policy'
7. 'Water Safety (Legionella) Policy'
8. 'Lifts and Lifting Equipment Safety Policy'
9. 'Building Safety Policy'
10. 'Customer Complaints Procedure'
11. 'Landlord Compliance/Resident and Building Safety Competency Matrix'
12. 'Contractor Management Policy'

Somerset Council Building and Resident Health & Safety Action Plan 2023-2025 (DRAFT) (Appendix 1 to Building and Resident Health and Safety Strategy)

(DATE) Version 1.0

Last Update Completed By:

Date:

(Also see Version Control Tab)

Task Complete
Task On Target
Task at Risk - Intervention
Task Overdue - Review



Action Plan Section 1.0 - Commitments Prioritised for Delivery by April 2023 and completion of LGR									
No.	Task Category	Task Name	Owner	Support	Strategy Cross-Reference	Start	Finish	% Complete	Progress Comments/Links
1	Policy	Check and assess existing body of SW&T and SDC (i.e. HiS) 'Big 6' (Gas, Electrical, Fire, Asbestos, Water and Lifts) Building and Resident Health and Safety Policy Documentation to ensure that minimum regulatory, statutory and legislative requirements are met	CS (Savills)	TH	Section 1.0 (Aim/Purpose)	03.01.23	31.03.23		26/01 All policies sent to Savills Note - upon completion, potential outcomes from this Action will produce and 'feed' new Tasks into Action Plan Section 2.0
2	Policy	So as to be able to confirm the Building and Resident Health and Safety Strategy's <i>scope</i> , fully establish and agree content of the definitive Landlord/Housing Service Assets Register (i.e. Master Core Housing Stock List) for the new Council	Chris Brown	NM and Assets Teams	Section 2.0 (Scope)	01.12.22	31.03.23		26/01 Subject to LGR Scope of Service product in Housing 1 sub workstream
Page 59	Procedure & Process	Undertake a full Internal Review of any and all Housing Stock subject to Lease/Management Agreements with Third Party Owners - for the purpose of providing residential accommodation capacity to the Council (whether Temporary or Permanent) - in order to establish assurance that (i) the liability/responsibility for the completion of Building and Resident Health and Safety requirements (Servicing/Inspection/Risk Assessment/Remedial Works) is clearly established within the applicable Lease/Management Agreement and that (ii) if such liability/responsibility sits with the Third Party Owner that the Council retains appropriate evidence that these requirements are being fulfilled and hence the accommodation safe for use and occupation	Chris Brown	NM,AE, Assets Teams, SSDC	Section 2.0 (Scope)	01.02.23	31.03.23		26/01 Review process underway
	Procedure & Process	As required by the Building Safety Act 2022 (Part 4), identify the Accountable Person(s)* in respect to the Council's sole Higher Risk Residential Building (of at least 7 storeys/18 metres in height) and confirm this via entry within Section 5.0 (Key Strategic Roles and Responsibilities) of the Building and Resident Health and Safety Strategy 2023-2025 as well as to any relevant external body (including, via either initial registration and/or submission of a Building Safety Case, the Building Safety Regulator). *If more than one Accountable Person, a Principal Accountable Person must be named.	TH	JB/PH	Section 3.0 (Our Obligations for Building and Resident Health and Safety – including Higher Risk Residential Buildings - HRRBs)	01.01.23	31.03.23		26/01 On Track. DS proposed as Accountable Person. NB: notification to Building Safety regulator to be completed by Oct 2023.
5	Procedure & Process	Check and assess existing body of SW&T and SDC (i.e. HiS) 'Big 6' Building and Resident Health and Safety Procedure and Process Documentation ('Management Plans') in place to ensure they are consistent with the commitments provided in equivalent Policies, and provide clarity on an end-to-end basis as to the organisation's approach and this meets minimum standards (regulatory, statutory) legislative - 'safe and legal' threshold) for each activity/risk area	CS (Savills)	TH	Section 4.0 (Building and Resident Safety as a System/Framework)	03.01.23	31.01.23		26/01 All procedures currently with Savills for review. Note - upon completion, potential outcomes from this Action will produce and 'feed' new Tasks into Action Plan Section 2.0
6	Data	Data Management and Controls - ensure that the existing Controls environment surrounding the maintenance of data accuracy and integrity in respect to Property/Assets Data (including Building and Resident Health and Safety) is effective (including the extent to which this Controls environment is documented). This is to include data sampling and query testing for both HiS and SW&T - plus (as already completed for HiS in 2020 and 2021) full application of the Savills Data Assessment Model to SW&T's Master Core Housing and Individual Building and Resident Health and Safety 'Big 6' datasets in order to test and establish accuracy and consistency (and hence assurance) levels	CS (Savills)	TH	Section 4.0 (Building and Resident Safety as a System/Framework)	03.01.23	28.2.23		26/01 Datasets and Data control document for SWT being reviewed by Savills. HIS sent updated documentation to Savills. End date changed from 31 Jan to 28 Feb. Note - upon completion, potential outcomes from this Action will produce and 'feed' new Tasks into Action Plan Section 2.0
7	Performance	KPI Monitoring and Reporting - Savills UK Limited to undertake 'critical friend' review of current Building and Resident Health and Safety KPI Reporting in respect to format/s, scope, quality and coverage relative to sector norms, good practice and provide suggestions for any required improvements for implementation. Review will also consider extent of readiness for measurement and capture of Regulator of Social Housing's new Tenant Satisfaction Measure (TSMs) mandatory requirements from April 2023	CS (Savills)	TH	Section 4.0 (Building and Resident Safety as a System/Framework)	03.01.23	28.2.23		26/01 Data provided to Savills to enable review. Note - upon completion, potential outcomes from this Action will produce and 'feed' new Tasks into Action Plan Section 2.0
8	Assurance	Savills UK Limited to independently assess the level and effectiveness of existing sources of internal and external assurance that the current Landlord Services provided by SW&T and HiS are being provided in accordance with minimum regulatory, statutory and legal requirements - and to provide suggestions for any required improvements for implementation on a prioritised basis as per No.15 below	CS (Savills)	TH	Section 4.0 (Building and Resident Safety as a System/Framework)	03.01.23	28.2.23		26/01 Data provided to Savills to enable review. Note - upon completion, potential outcomes from this Action will produce and 'feed' new Tasks into Action Plan Section 2.0

9	Resource (i.e. Structure)	Consideration and assessment of whether any immediate changes are required to Building and Resident Health and Safety-related Staffing Structures in order to ensure that a 'safe and legal' position is fully maintained in regard to Building and Resident Health and Safety requirements and obligations upon commencement of the new Council Service April 2023. Savills UK Limited as 'critical friend' to provide copies of Staffing Structures seen at other Landlord Providers for comparison/assistance processes	CS (Savills)		Section 4.0 (Building and Resident Safety as a System/Framework)	1.1.23	31.3.23		26/01 To review end of March. Any structural changes to be considered in 23/24 as part of LGR process.. Do we now need to push this back as our ability to change structures ahead of vesting day is limited, the change to
10	Resource (i.e. Structure)	Training/Briefing/Awareness Requirement across Senior Officer and Member roles in respect to scale and extent of changes being introduced via current Social Housing Regulation Bill, Building Safety Act and changes to role of the Regulator of Social Housing, the new Building Safety Regulator, Independent Housing Ombudsman et al. Session to be modelled upon delivery from Savills UK Limited to original Workshop No.1 July 2022	CS (Savills)	TH	Section 5.0 (Key Strategic Roles and Responsibilities)	1.10.22	31.3.23		26/01 Contained in the Building and Resident Health & Safety product Housing Summit, Briefing Paper, All Members Summit and Governance process for decision sign off on Strategy.
11	Resource (i.e. Structure)	Identification of key strategic postholders and roles involved in ensuring the maintenance of an effective System/Framework for Building and Resident Safety at Somerset Council upon creation of the new Council - including in respect to those attending the Training/Briefing/Awareness Requirement as above No.11 - for inclusion and confirmation of responsibilities within the Building and Resident Health and Safety Strategy (itemised Table Section 5.0)	CS (Savills)	TH	Section 5.0 (Key Strategic Roles and Responsibilities)	1.1.23	31.3.23		26/01 To be fulfilled by adoption of new Building and Resident H&S strategy.
12	Procedure & Process	Evidence position provided by both SW&T and HIS Landlord Services that - upon transfer of operations to new Council from April 2023 - they maintain a fully compliant, self-assessed and evidenced position relative to the Independent Housing Ombudsman's Complaint Handling Code of 1 April 2022	SH/CT		Section 6.0 (Our Accountability to Residents - including the provision of/access to information Key Strategic Roles and Responsibilities)	01.01.23	31.03.23		26/01 Ongoing self assessments published on websites and new council policy effective from 01 April 23 includes all necessary requirement of Housing Ombudsman code. Need to cross referecne work on complaints and task Shari and Claire to cover this
	Assurance	For non-HRRB Housing Stock, ensure roll-over to new Council of any and all existing works-based Quality Assurance/Quality Control (QA/QC) measures (Works Post-Inspection, Certification Quality Assessment/Sign-Off et al) operated by External, Independent Third-Parties for the 'Big 6' activity/risk areas - and plans formulated and in place, if such provision is absent for any of these areas, for this to be implemented within 6 months (by October 2023) of new Council's commencement of service delivery	IC/NM		Section 8.0 (External, Independent Third-Party Scrutiny)	1.1.23	1.3.23		26/01 Confirm existing arrangements will roll over into new Council.
14	Assurance	Ensure at all times, in advance of the commencement of operations by the new Council, the continued operation by SW&T and HIS of active, co-regulatory engagement with the Regulator of Social Housing in respect to evidenced compliance with its Consumer Standards (including - though not limited to - the Home Standard and any requirements regarding Building and Resident Health and Safety, the submission of any required Statistical Returns et al)	SH/NM		Section 8.0 (External, Independent Third-Party Scrutiny)	As required by returns and data requests.	As required by returns and data requests.		26/01 Confirm existing arrangements will roll over into new Council.
Action Plan Section 2.0 - Commitments Prioritised for Delivery after April 2023									
1	Policy	Detail of the Council's operational approach - including its prescribed format /scope for the required Building Safety Case and Safety Case Report - to its HRRBs and the requirements of the Building Safety Act to be set out within a new 'Building Safety Policy' (as then attached to the Building and Resident Health and Safety Strategy as Appendix 9)	NM	PH	Section 3.0 (Our Obligations for Building and Resident Health and Safety - including Higher Risk Residential Buildings - HRRBs)	01.04.23	31.10.23		
2	Procedure & Process	HRRBs - A fully compliant position will be established and maintained regarding the provision of/access to information for residents relating to the key health and safety-related risks of the building they occupy as their home as per Clauses 91 and 92 of the Building Safety Act 2022	NM	PH	Section 6.0 (Our Accountability to Residents - including the provision of/access to information Key Strategic Roles and Responsibilities)	01.04.23	31.10.23		

3	Procedure & Process	HRRBs - Leaseholders will be provided with the same building and resident health and safety information, and access to the same in-person access point for the highlighting and subsequent discussion of any concerns	NM	PH	Section 6.0 (Our Accountability to Residents – including the provision of/access to information Key Strategic Roles and Responsibilities)	01.04.23	31.10.23		
4	Procedure & Process	Tenant Engagement - in relation to the whole of its Housing Stock, the Council will operate a diverse range of methods and access points for residents in respect to health and safety-related information about the building in which they live, as well as active opportunities to become involved in decision-making regarding the management and delivery of services to their home	CT/SH		Section 6.0 (Our Accountability to Residents – including the provision of/access to information Key Strategic Roles and Responsibilities)	01.04.23	31.03.24		
5	Assurance	Initially compile and subsequently ensure the maintenance of a Council 'Landlord Compliance/Resident and Building Safety Competency Matrix' (to then be attached as Appendix 11 to the Building and Resident Health and Safety Strategy) which sets out the involved competency thresholds, standards and expectations and their consistent application across the range of operational Policies which form a key part of the Council's overall System/Framework (see Strategy Section 4.0) for maintaining building and resident health and safety	IC/NM	Human Resources	Section 7.0 (The Importance of Competence)	01.04.23	31.12.23		
	Policy	External Competency re Contractors - the Council's approach (including individual Officer/s responsibilities) to the continuous management and oversight of its contractors – including those engaged in building and resident health and safety activities – and the establishment of regular, routine assurance as to their competence is set out within a 'Contractor Management Policy' (to then be attached as Appendix 12 to the Building and Resident Health and Safety Strategy)	IC/NM	Health & Safety	Section 7.0 (The Importance of Competence)	01.07.23	31.12.23		
7	Assurance	Establishment and maintenance of active, open engagement with the Building Safety Regulator in respect to the submission of Building Safety Cases/Safety Case Reports regarding the Council's Higher-Risk Resident Buildings (HRRBs) and any and all subsequent dialogue which may result.	NM		Section 8.0 (External, Independent Third-Party Scrutiny)	01.04.23	31.03.25		
8	Procedure & Process	Both design and subsequently implement - by ensuring its completion and submission to the new Council - an 'Annual Building and Resident Health and Safety Compliance Assurance Statement' by which any organisation/body fulfilling the landlord function/role on behalf of the Council confirms its awareness of and evidenced compliance with the requirements of the Council's Building and Resident Health and Safety Strategy 2023-2025	NM/IC	LH/AE	Section 2.0 (Scope)		30.09.23		
9	Assurance	Programme of Independent External Audit (IEA) is prepared and approved for the new Council's Landlord/Housing Service which - as a minimum - sees the traditional 'Big 6' activity/risk areas subject to IEA within the period prior to April 2025 and on a subsequent 'rolling' basis thereafter of 2 activity/risk areas re-examined each year. IEA Programme Planning will also consider scale/extent to which wider, cross-cutting thematic reviews can be undertaken re areas of relevance to Building and Resident Health and Safety (such as Data Management/Control, Performance Management, Quality Assurance and Resourcing)			Section 8.0 (External, Independent Third-Party Scrutiny)				

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CS	Christopher Smith, Director Savills UK Limited
TH	Teresa Harvey, Assistant Director Housing, Communities & Wellbeing, Sedgemoor District Council
JB	James Barraah, Deputy Chief Executive & Director of Housing & Communities, Somerset West & Taunton
PH	Peter Hatch, Chief Executive Homes in Sedgemoor (HiS)
NM	Naomi Macey, Director of Asset Management & Safety, Homes in Sedgemoor (HiS)
IC	Ian Candlish, Assistant Director Housing Property, Somerset West & Taunton
CB	Christopher Brown, Assistant Director Development & Regeneration, Somerset West & Taunton



Report Title: LGR Housing Landlord Function 1 – Briefing Paper

Purpose: To provide stakeholders with a brief introduction to the current management arrangements for retained council housing stock in Sedgemoor District Council and Somerset West & Taunton Council

Authors: Peter Hatch (CEO, Homes in Sedgemoor), Teresa Harvey (Assistant Director, Community Services, SDC), Dave Baxter, Service Manager SDC) and James Barrah (Deputy Chief Executive & Director of Housing and Communities, SWT)

Date: August 2022

1. **Introduction**

The new Somerset authority will inherit two areas of retained council housing – one in Somerset West and Taunton Council and the other in Sedgemoor District Council. With a new responsibility for direct management of council housing, we believe it is important for new decision-makers to be informed of the wider context for statutory, regulatory and policy issues across the social housing sector and to ensure that a proper and well thought out process is undertaken in respect of housing management and related opportunities in the future. We also want to convey the importance of the tenant voice in any decision-making process.

2. **Context**

Provision/history of Council housing across Somerset

In the late 1980s, many councils began to transfer their social housing into housing association ownership through Large-Scale Voluntary Transfer agreements or Trickle-Transfer agreements. This saw the advent of new housing associations, such as SHAL-Housing, who were given new freedoms to borrow private funding to build new homes, topping up the funding they received from the government.

The Government then announced that all homes in the social housing sector, either owned by Local Authorities or Registered Social Landlords (RSLs), had to comply with the Decent Homes standard by 2010. At the same time, the Government favoured the separation of strategic housing management from the day-to-day management of stock in local authorities. In a 2000 Green Paper, the then Office of the Deputy Prime Minister (ODPM) stated that, "...we strongly favour the separation of authorities' strategic and landlord responsibilities for housing. This will strengthen both roles."

The Government made three funding models available to Local Authorities in pursuit of the Decent Homes target. The options were stock transfer, the creation of an Arm's Length Management Organisation (ALMO), or the creation of a PFI scheme (Private Finance Initiative). All Local Authorities were obliged to carry out a thorough options appraisal and

have it checked and signed off by the Government Regional Office in their area no later than July 2005. A fourth option, namely the retention of their housing stock under Council management, was only a realistic option for authorities who were able to achieve the Decent Homes target without any extra funding.

The second option, creation of an ALMO and transfer of the full management of the Council's housing to this organisation, meant that the Local Authority retained ownership of the stock. This option was only available to Councils which received a two-star (or higher) rating in the Audit Commission's inspections of their housing management. Once established and a minimum of two stars achieved, extra funding for achieving Decent Homes was potentially unlocked.

Local Authorities were obliged to fully engage tenants in the options appraisal process, and the conclusions had to be supported by tenants. There was a balance to achieve between the requirement for a local authority to bring all its homes up to a decent standard with the aspiration to empower tenants to make a choice about what option they wanted. In Somerset, this process saw stock transfer of council housing to housing associations in South Somerset (South Somerset Homes, then Yarlinton, now Abri), Mendip (Aster) and the then West Somerset (Magna), the formation of an ALMO in Sedgemoor (Homes in Sedgemoor) but the retention of council housing in what was then Taunton Deane (Taunton Housing). Retention of council housing management at Taunton Deane was an outcome from a resounding “no” vote from tenants to stock transfer.

Wider context – the importance of housing to health strategies and outcomes

The Somerset Integrated Care System (ICS) Operational Plan 2021-22 has a vision for Somerset, “in Somerset we want people to live healthy independent lives, supported by thriving communities with timely and easy access to high quality and efficient public services when they need them.” That means making the most of what other sectors offer in terms of directly influencing health and on reducing demands on NHS and wider public services. The housing sector must be an important partner in this vision.

The evidence that good-quality housing is critical to health is well established (Public Health England 2017). Further, a well-housed population helps to reduce and delay demand for NHS services and allow patients to go home when they are clinically fit to do so. In the past, the connection between health and housing has often focused on the role that housing organisations, such as Homes in Sedgemoor or Taunton Housing, can play in supporting discharge of older people from hospital where it is relatively straightforward to quantify benefits in terms of the efficiency and outcome measures that NHS organisations are routinely held to account for.

There is also a wealth of evidence that shows how important good housing is to health across the life-course. Economic modelling has estimated that reducing excess cold in homes to an acceptable level would save the NHS £848 million per annum and reducing all falls in the home could save the service £435 million (BRE 2015).

There is a well-recognised shortage of housing, which needs to be addressed. But it is not just the number of homes that is important; in the longer term good-quality housing is also likely to lead to better health through its indirect impact on other factors including

improved outcomes in the early years, better employment prospects and strong community resilience and wellbeing, which are all associated with good health.

Children are particularly affected by living in poor-quality housing and unintentional injuries in the home are a leading cause of morbidity and mortality. There are well-documented impacts of bad housing on health and wellbeing: prevalence of asthma is associated with air quality and dampness, while overcrowding and cold have been shown to be associated with physical illnesses including heart disease and hypothermia. Overcrowding increases rates of infectious diseases and is linked with poor mental health. Finally, improvements relating to cold homes and to reducing falls among older people are the initiatives that bring the quickest returns.

The Somerset Housing Strategy 2018 – 2023, commissioned by the Somerset Strategic Housing Group, sets out a housing vision for Somerset that emphasises the importance of housing to health and social outcomes. The county-wide housing strategy sets out three themes and associated objectives:

Housing and the Economy - maximise the number of affordable homes.

Housing and Health - maximise positive health impacts through housing development and the lived environment.

Housing and Society - reduce Homelessness and Rough Sleeping, create and sustain thriving communities.

3. Features of the council housing stock

The combined council housing stock across Sedgemoor and Somerset West & Taunton provides c.10,000 affordable homes (approximately 9% of the total housing stock across both areas). HiS manages c.4100 homes on behalf of SDC and SWT owns and manages c.6100. Combined, the two organisations also manage 2600 garages.

Looking at Somerset in total (c.250,000 homes), the retained council housing within the new authority equates to approximately 4% of total housing stock. The stock is primarily social rent (general needs and sheltered) but also includes homes for shared ownership and leasehold. There are a small number of 'affordable rent' homes too. Most of the stock was constructed in the middle of the last century and consists primarily of 1, 2 and 3 bedroom homes, some of which are now approaching their centenary.

4. Governance Arrangements

SWT and HiS have different governance arrangements as follows:

SWT governance is via the Council democratic political process. The Council has a Housing Portfolio Holder who works with senior managers on operational matters and decision making. Further decisions and performance reporting take place via Executive and Full Council, with many reports also passing via Community Scrutiny Committee. Some HRA matters also feature in reports to the Councils Audit and Governance Committee. Lastly the Council operates many tenant representative groups, with the Tenants Strategic Group being the key one for involvement in reporting, scrutiny and decision-making processes.

Established in 2007, HiS is a fully fledged company with the sole shareholder being SDC. It has a formally constituted Board of 9 non-executive directors. The composition of the Board is enshrined within the Articles of Association and is composed of 3 customers, 3 councillors (nominated by the local authority) and 3 independents. The Board is supported by an Audit & Risk Committee and the Sedgemoor Tenants Assurance Committee (STAC) – a customer committee accountable directly to the Board. Responsibility for delivering housing services to an agreed level is via a detailed management agreement (last reviewed in 2021 and lasting for a period of 30 years albeit with provisions to break). The management agreement determines the annual fee that HiS receives to undertake its duties.

5. Customer profiles and demographics

The combined council stock houses approximately 18000 constituents, roughly 60% of which are female. The demographics of occupants ranges from 18 to over 100 with the age groups between 31 and 70 constituting the largest cohorts. A significant proportion of occupants are in receipt of some form of benefit and approximately 26% (Sedgemoor) and 19% (SWT) of the stock resides in areas of severe deprivation according to the indices of deprivation data.

Both landlords house customers with a diverse range of vulnerabilities and disabilities. For example, HiS have 2600 recorded vulnerabilities (within this number some may have multiple vulnerabilities) and SWT records indicate c.25% of customers declaring a disability. Tailoring services to these customers is a core part of our housing management.

6. A snapshot of local housing demand

In keeping with the general picture for the South West region, both SWT and SDC have sizable demand for affordable housing with almost 6000 applicants currently registered on the pan-Somerset Homefinder scheme seeking homes in either of the two areas. A break down of the demand is provided in Table 1 below:

Table 1: Affordable housing demand as at July 2022

Housing Demand (on register)	Sedgemoor	SWT
<i>Requirement</i>		
1 Bed	1220	1756
2 Bed	765	802
3 Bed	424	469
4 Bed	105	138
5 Bed	19	20
6 Bed	1	5
7 Bed	1	0
	2535	3190
<i>Banding</i>		
Emergency	3	6
Gold	176	323

Silver	1000	1193
Bronze	1356	1668
	2535	3190
<i>Age band</i>		
Under 18	3	0
18-24	263	237
25-29	348	358
30-34	382	427
35-39	334	403
40-44	236	324
45-49	180	263
50-54	192	225
55-59	145	206
60-64	137	181
65 and Over	315	566
	2535	3190

To outline the scale of the housing challenge, in terms of vacancies, over a four-year average between 18/19 and 21/22 HiS and SWT have had approximately 280 and 350 vacancies per annum respectively.

7. Responsibilities and Services

Tenancy Services

Common core tenancy services include Estate Management, Grounds Maintenance (in house contracts), Anti-Social Behaviour, Lettings, Rent Recovery, Leaseholder, Right to Buy sales. However, there are also some discretionary services provided to provide greater support to tenants, including grant funding, debt and benefit advice, commissioned additional support e.g., from Mind for Mental Health Support, CCTV, CAB funded referral routes and One Teams that ensure enhanced support for our tenants.

Repairs and Maintenance

This is considered the most important service to customers and constitutes a large area of spend. Currently, models for delivery vary with HiS contracting with the MD group and SWT using an in-house workforce. There is of course no right answer to which approach is better and there are pros and cons of each but clearly an important task will be to design a suitable model with opportunities for a hybrid approach or wholly owned company approach.

Landlord safety compliance checks, servicing and remedials form a large and growing part of the services provided to ensure our homes are safe, with tens of thousands of individual checks required. Following the Grenfell tragedy in 2017 property compliance has received considerable attention from the Regulator of Social Housing (RSH) and will form a key part of the government's Building Safety Act and the RSH's new approach to regulation (see Section 9).

In addition, extensive long term capital programmes are undertaken to provide cyclical replacement of components, kitchens, bathroom, roofs etc.

Regeneration and Development

Both Councils have active new build programmes, with for example 100 low carbon homes currently on site in SWT. These new homes help offset the continual loss of stock through Right to Buy sales.

There is also extensive regeneration activity underway for example to replace non-traditional construction properties which have reached the end of their useful life.

Associated services – Homelessness

Both Landlords work closely with the respective Homeless and Rough Sleeping teams at the Councils and support this General Fund duty by the provision of temporary accommodation and the opportunity to add new provision by the addition of new stock for example, via Government Rough Sleeping funding.

8. Financial Planning & Management

Both SWT and SDC manage legally ringfenced Housing Revenue Accounts (HRA's). This is done by the management of rolling 30-year business plans. The housing sector context, the economic position and challenging operating environment have all increased the financial pressure and relative risks associated with HRA's. In addition, there is internal pressure on the HRA by effectively sitting inside of the wider and separately funded LA, as the size of the whole organisation changes over time, the HRA's share of operating overheads changes, creating substantial swings in costs to the HRA even though the benefit derived remains constant. This can have the effect of appearing to inflate management costs against a sector benchmark.

The combined HRA's currently have substantial borrowing (c.£160M) to service. Growth plans arising from current and future new build homes development and regeneration will require further borrowing, therefore treasury management issues are significant for the new authority. A significant 'product' within the LGR Housing Landlord 1 sub stream is the production of a single combined Housing Revenue Account and associated Business Plan.

9. Statutory and Regulatory Environment

Three roles, the Regulator of Social Housing (RSH), The Building Safety Regulator, and the Housing Ombudsman (HO), have different functions but work together. The RSH focuses on Economic and Consumer Standards (with objectives to explicitly include safety and mandatory KPIs). The HO focuses on tenants, with a new Complaints Code and new 'name and shame' after maladministration findings. A Memorandum of Understanding sets out how the HO informs the Regulator of potential systemic issues relating to compliance with the Regulator's standards.

The RSH promotes a viable, efficient, and well-governed social housing sector able to deliver and maintain homes of appropriate quality that meet a range of needs. The RSH's approach

to the changing of consumer regulations will be measured across six themes: safety, quality, neighbourhood, transparency, engagement and accountability, and tenancies.

RSH/Building Safety/Consumers

The Building Safety Act 2022 introduces new and more stringent requirements for residential buildings after the Grenfell Tower tragedy in 2017.

The Act creates the independent Building Safety Regulator established by the Health and Safety Executive (HSE). The Building Safety Regulator oversees the design, construction and occupation of high-risk buildings and will give advice to local regulators, landlords and building owners, the construction and building design industry as well as to building occupants.

A new 'Gateway' regime (the 'golden thread') will ensure that building safety risks are considered at each stage of a building's planning and design, construction, and pre-occupation.

The Act introduces new roles for building safety management once it is occupied. An 'Accountable Person' is defined as the duty holder of a building during its occupation and their responsibilities include:

- Registering a building with the Building Safety Regulator.
- Applying for a Building Assurance Certificate, which is issued when the Building Safety Regulator is satisfied the Accountable Person is complying with their duties under the Bill.
- Assessing (and revising as necessary) building safety risks and taking all reasonable steps to prevent the occurrence, and control the impact of, a major incident arising from building safety risks in or around the building.
- Preparing (and revising as necessary) a safety case report for a building which contains their assessment of the building safety risks and the steps that have been taken to prevent a major incident.
- Keeping information on a building and ensuring it is up to date, and
- Developing systems for investigating complaints and for Mandatory Occurrence Reporting.

10. Decarbonisation agenda and challenge

The overwhelming priority is to make sure all our homes are safe. However, in addition to this a forthcoming new Decent Homes programme will also look to improve the quality of our social homes over the next decade.

We are also aware of the scale of need for more affordable homes. There were 10,697 households registered with Homefinder Somerset on 1 July 2022, an increase of 1,119 households (12%) from 1 April 2022. 236 homes (40%) advertised during the last quarter received over 100 bids. The highest number of bids received was 415, for a 1 bed house in Bridgwater.

In addition to both improving safety within our homes and increasing the supply of new homes, the government's commitment to delivering a zero-carbon economy by 2050 will have far-reaching implications for the housing sector. We will need to virtually eliminate the carbon emissions of all homes over the next 30 years. Addressing the need to reduce emissions while investing in building safety, quality of home and services and continuing to

build new homes at scale is a daunting task, especially given the current challenges around skills, supply chains and costs.

The government's £3.8bn Social Housing Decarbonisation Fund is aimed at accelerating the decarbonisation of the social housing stock. The fund finances a 'fabric first' principle to maximise the dwelling's suitability for low carbon heating. The scheme allows any measure that is eligible with SAP (Standard Assessment Procedure) except for fossil fuel heating systems. Low Carbon Heating can be installed where a fabric first approach is taken, and all new heating systems must reduce bills in isolation compared to the existing system.

The decarbonisation agenda presents arguably the biggest strategic challenge to the social housing sector. Doing the right works for the long term and engaging effectively with customers are imperative to long term success.

11. Customer voice

The government's Social Housing White Paper sets out the regulator's approach to consumer regulations, which will be measured across six themes: safety, quality, neighbourhood, transparency, engagement and accountability, and tenancies. The White Paper says landlords should keep properties in good repair, maintain the safety of buildings, handle tenants' complaints effectively, engage with tenants helpfully and with respect, and take a responsible role in managing their neighbourhood. It is vitally important that tenants know how to report repairs, have a range of ways to access services, and have confidence that when they do so, appropriate, and effective action will be taken.

Ensuring that customers have a strong voice is paramount to both organisations with various well established customer groups are in existence to monitor and improve service performance.

The RSH will assess how well social housing landlords in England are doing at providing good quality homes and services. The system will involve a set of tenant satisfaction measures that social housing landlords must report on. These measures should let tenants see how well their landlord is doing and give an idea of what landlords might need to do to improve things for their tenants.

Any changes to service provision will require full engagement with tenants and leaseholders. The move to a unitary authority does not require statutory consultation with customers but we recognise the importance of effective communication with customers of the changes from vesting day. This forms part of our product list and an early action was to form a customer group to help guide our communications.

More substantial changes to the delivery model of the housing will most likely trigger the duty to consult with tenants, this will be a key workstream and the importance of this for tenant engagement, involvement and support for decision making cannot be underestimated.

12. LGR

HiS, SDC and Somerset West & Taunton (SWT) are responsible for the Housing 1 - 'Housing Landlord Function' workstream which is designed to ensure that all directly provided housing services remain 'safe and legal' on vesting day next year. Our sub-workstream consists of the following 8 'products' which are to be delivered ahead of vesting day:

1. Production of a new single 30-year business plan and medium-term financial plan to be incorporated in the new, single Housing Revenue Account (HRA).
2. Tenant Engagement in the changes.
3. Review of Service Standards and Key Policy Alignment (where necessary).
4. Contractor Novation/Transfer.
5. Timeline for an Options Appraisal for the future structure of service delivery.
6. Governance Review.
7. Scope of Service Review.
8. Business Continuity Planning.

A well-established process is now in place to manage all 8 products with joint leads across HiS/SDC/SWT. Strong project support is now being provided by the central project team.

13. Unitary Opportunities

The new authority will inherit two well established and successful models for the delivery of housing management. The two delivery models for in house management of stock does provide opportunity to sit these services alongside other relevant services to explore synergy and cross over for example homelessness, housing strategy and enabling and community services as is the case with SWT. In the Unitary context where there may be a renewed opportunity to deliver "one system" approach to vulnerable people, these overlaps across services which in future could include current SCC services, e.g., Adult Social Care, Mental Health who all provide support to vulnerable members of our community could delivery significant benefits. This issue was a key learning and success during Covid response.

Conversely the opportunity for a housing business to have a more single focus, possibly more autonomy to drive performance and efficiency also could be attractive and this is where the ALMO model has advantages.

A Unitary model to combine both sets of stock to create a landlord of c10K homes would provide greater scale, potentially more sustainable and resilient whilst removing some duplication and generating efficiencies by some economies of scale. A new larger landlord could have greater influence and buying power, especially in areas like new home development and major capital expenditure.

14. Future Options - New Authority Choices and potential timeline for change

Operationally, post vesting day there will be two delivery arrangements for stock management - in house and Arm's Length contracted. The new authority will have a few choices as to what it does operationally: -

- Move all housing management to new reformed ALMO
- Cease ALMO and move all operations to In House model
- Operate two tier arrangements for an undefined period

- Do something else

Any change process would require sufficient resources to limit the impact on day-to-day service delivery for 10K tenants and ensure that it does not undermine or delay the respective services improvement plans which will be subject to increased scrutiny and regulation as set out above.

A timeline for change will need to be scoped but it will take at least 1 year end to end, turning this around in a year would only be possible if sufficient resources are applied to the process. There are 5 potential stages: -

- 1-Agree to start, agree options to be reviewed, agree process, agree objectives for new service, agree resources
- 2-Options appraisal agree a preferred option, agree consultation questions and approach.
- 3-Consultation with Tenants
- 4-Final report and decision
- 5-Implementation

As landlords, our immediate priority is to ensure we meet the forthcoming statutory requirements for safety and to provide the highest level of assurance in this area. Effective joint working between all three organisations is already well advanced in this area. Beyond safety, ensuring a sustainable HRA and providing good customer service remain paramount.

15. Conclusions

The purpose of this briefing paper was to provide a high-level overview of the management arrangements for the council housing stock inherited by the new authority. Whilst recognising the challenges ahead for the new authority, we very much hope that this briefing paper has informed stakeholders and provides a platform for further knowledge gathering and discussion.

Together we are delivering your

New Somerset Council

Building & Resident Safety Strategy

LGR Housing 1 – Housing Landlord Function

The Changing Landscape for Building and Resident Safety

Page 74

Somerset Council

Monday 6th February 2023



The Context of (justification for) Change....



Chapter 1: To be safe in your home

Chapter 2: To know how your landlord is performing

Chapter 3: To have your complaints dealt with promptly and fairly

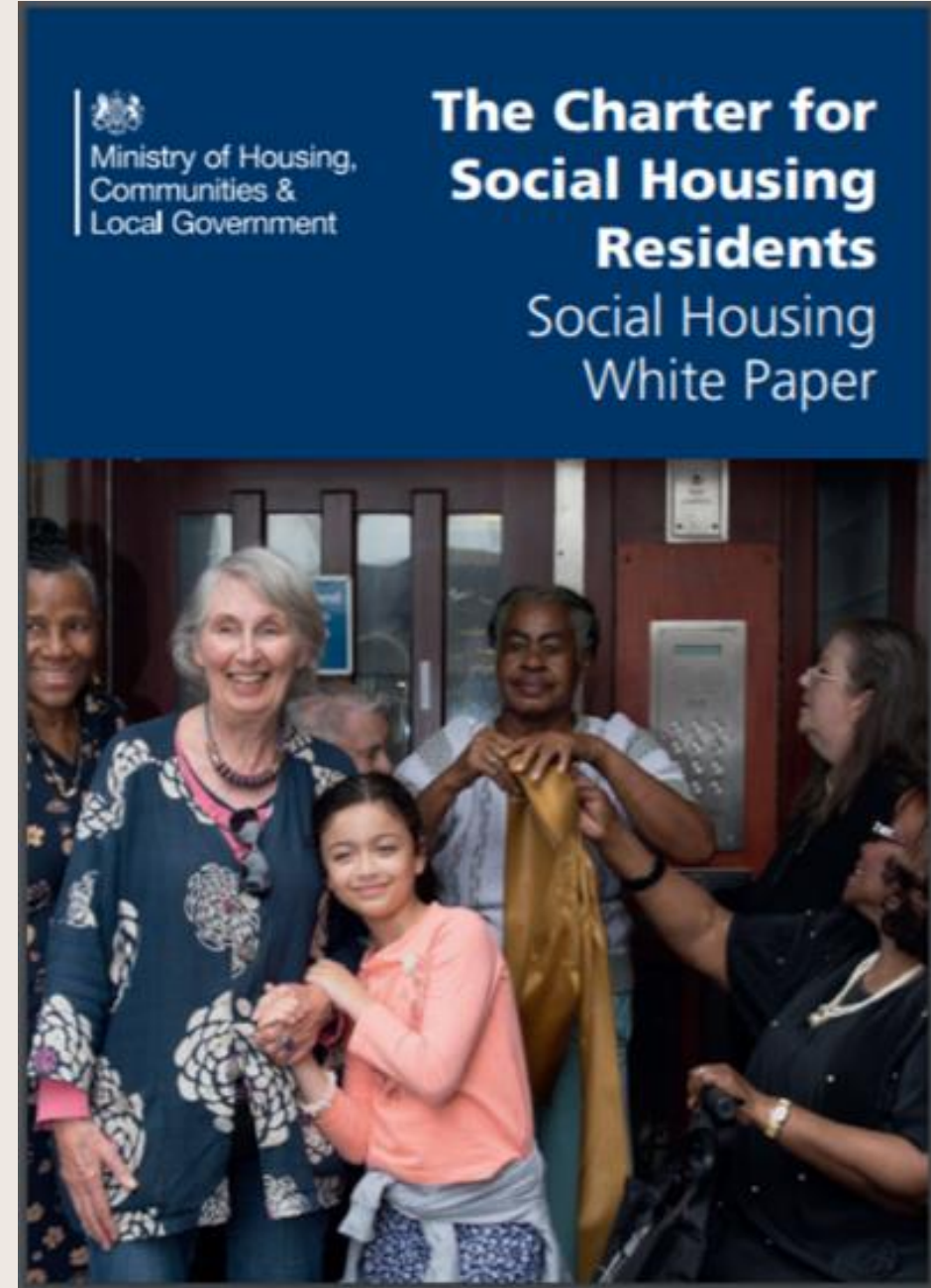
Chapter 4: To be treated with respect, backed by a strong consumer regulator for tenants

Chapter 5: To have your voice heard by your landlord

Chapter 6: To have a good quality home and neighbourhood to live in

Chapter 7: To be supported to take your first step to ownership

Page 76

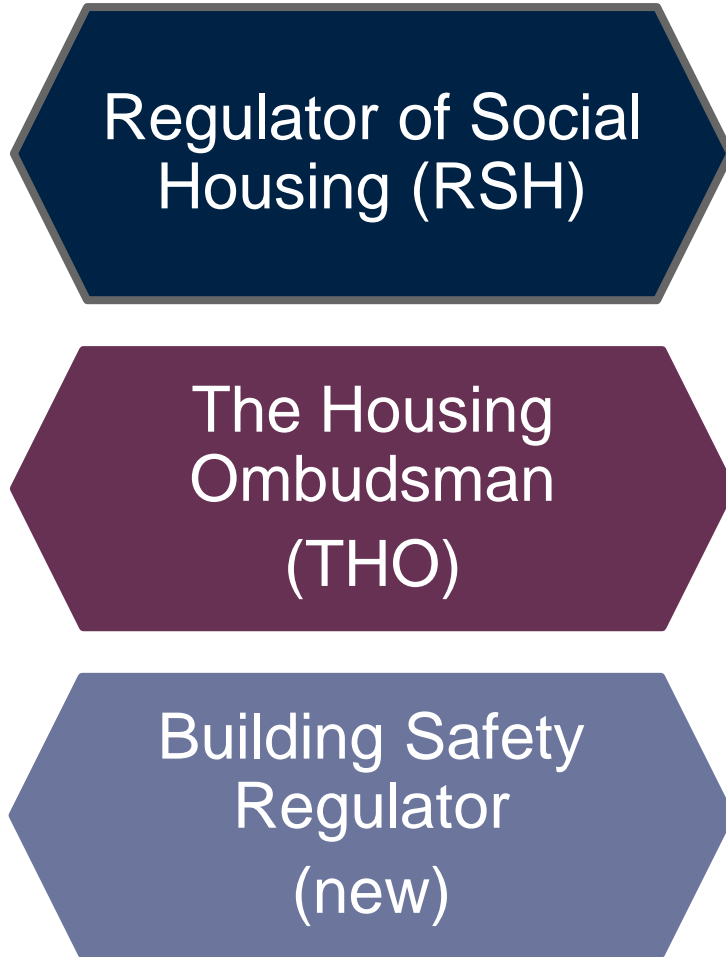


The Changing Face of Regulation



Regulation Landscape – It's changing

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- Focus on Social Landlords – with a return to ***pro-active regulation*** (inc. removal of 'serious detriment' test/threshold)
- Economic and Consumer Standards (with objectives to explicitly include safety and mandatory KPIs)
- In-Depth Assessments and (new) Consumer Standards Inspections (*Desk-Top, Routine and Reactive*)
- Focus on Tenants
- New Complaints Code (Landlords Self-Assess)
- New 'name and shame' on maladministration findings
- Focus on Tall (18 metres +) Buildings
- Part of HSE
- Focus on Safety not just Compliance – across design, construction and ongoing use/occupation

Governance.....the role and importance of Members

- **Regulator for Social Housing (RSH) ‘Consumer Regulation Review 2021-22’**under current ‘reactive’ regulation of Consumer Standards, 8 breaches found which satisfied test of ‘serious detriment’ and 5 of these were Local Authority Landlords

Page 79 RSH increasingly clear, robust in its stressing of importance of role of – *and clear responsibility for* – Council Members (in addition to Senior Officers) regarding governance and compliance (both in general and in the context of Landlord Health and Safety):

“Elected officials and senior leaders in local authorities have a responsibility to ensure their organisations are meeting the consumer standards. That applies regardless of whether housing is managed directly by the local authority, or there are other management arrangements (for example arms-length management organisation) in place” (Page 6, para 2.13)

“All of the non-compliance decisions we made this year included a failure to have appropriate oversight and understanding of compliance and performance. It is the responsibility of governing bodies to ensure that their organisations are meeting the regulatory standards. Boards, councillors and management teams must have clear oversight of service delivery so they can be assured of the quality and safety of homes and services they provide for tenants” (Page 4, para 2.3)

May 2022....early signs of the new regime taking legislative shape

- **Queen's Speech 10 May**....Government confirmed Social Housing Regulation Act intended to be brought forward in this parliamentary session
- Draft, indicative clauses also released, which **confirmed** several elements of what is to come:
 1. **Full removal of the serious detriment test for regulatory intervention**....pro-active regime confirmed
 2. **Fines for non-compliance will now be "unlimited"**....previous cap of £5,000 is gone
 3. **Regulator Emergency Surveys to assess property condition if believes Standards not being met**....only 2 days Notice required to the Landlord
 4. **Performance Improvement Plans**....Regulator to have the power to require landlords to work to this where they have been found in breach of standards. Landlords will have to set out timelines and plans, which they will then be required to implement
 5. **Safety**....confirmed as to be added to the Regulator's fundamental objectives, and also confirmed the requirement for all landlords to name individual responsible for Health and Safety

Another sign...Central Government response to death in social housing due to Damp/Mould/Condensation....

- **Coroner's Verdict mid-November 2022** that Damp/Mould/Condensation in flat rented by Rochdale Boroughwide Housing had been substantial contributory factor to death of 2 year old Awaab Ishak
- Subsequent direct, public intervention of Secretary of State re removal of CEO, stripping of Affordable Housing Programme funding plus RSH regulatory downgrade of the Provider....
- Accompanied by sector-wide regulatory engagement re scale/extent of issue and adequacy of individual landlord approaches....*with instruction to self-report as non-compliant with Consumer Standards if unable to answer (by 19th December) enquiry questions from the RSH*

“(RPs) should be looking after their tenants first, and we're not giving money to people who are not even looking after their existing properties to build new properties. They've got to make sure that they look after their tenants and it would be, I think, wrong of us to give public money to an organisation that is failing until it gets its own act together.” (Michael Gove, Sky News, 24th November 2022)

- A clear illustration of the changed landscape, and the shape of things to come....

“sets expectations for registered providers of social housing to”.....

- **Home Standard** – “provide tenants with quality accommodation and a cost-effective repairs and maintenance service”
- **Tenancy Standard** – “let their homes to tenants in a fair, transparent and efficient way”
- **Neighbourhood & Community Standard** – “keep the neighbourhood and communal areas associated with the homes they own clean and safe, co-operate with relevant partners to promote the wellbeing of the local area and help prevent and tackle Anti-Social Behaviour”
- **Tenant Involvement & Empowerment Standard** – “provide choices, information and communication that is appropriate to the diverse needs of their tenants, a clear approach to complaints and a wide range of opportunities for them to have influence and be involved”

The Home Standard – Existing Requirements.....

2 key aspects:

(1) Quality of Accommodation

Decent Homes Standard as a minimum, Local Offers, any period of non-compliance with this minimum to be agreed (with the Regulator of Social Housing)

(2) Repairs and Maintenance

(a) a cost-effective R&M service reflecting needs of, and offers choice to, tenants and emphasis upon completing repairs “right first time”

In respect to Landlord Compliance and Health and Safety, second aspect of R&M is the crucial one:

“(b) meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes”

.....a clear, absolute requirement open to very little interpretation

New Scope, New Obligations....

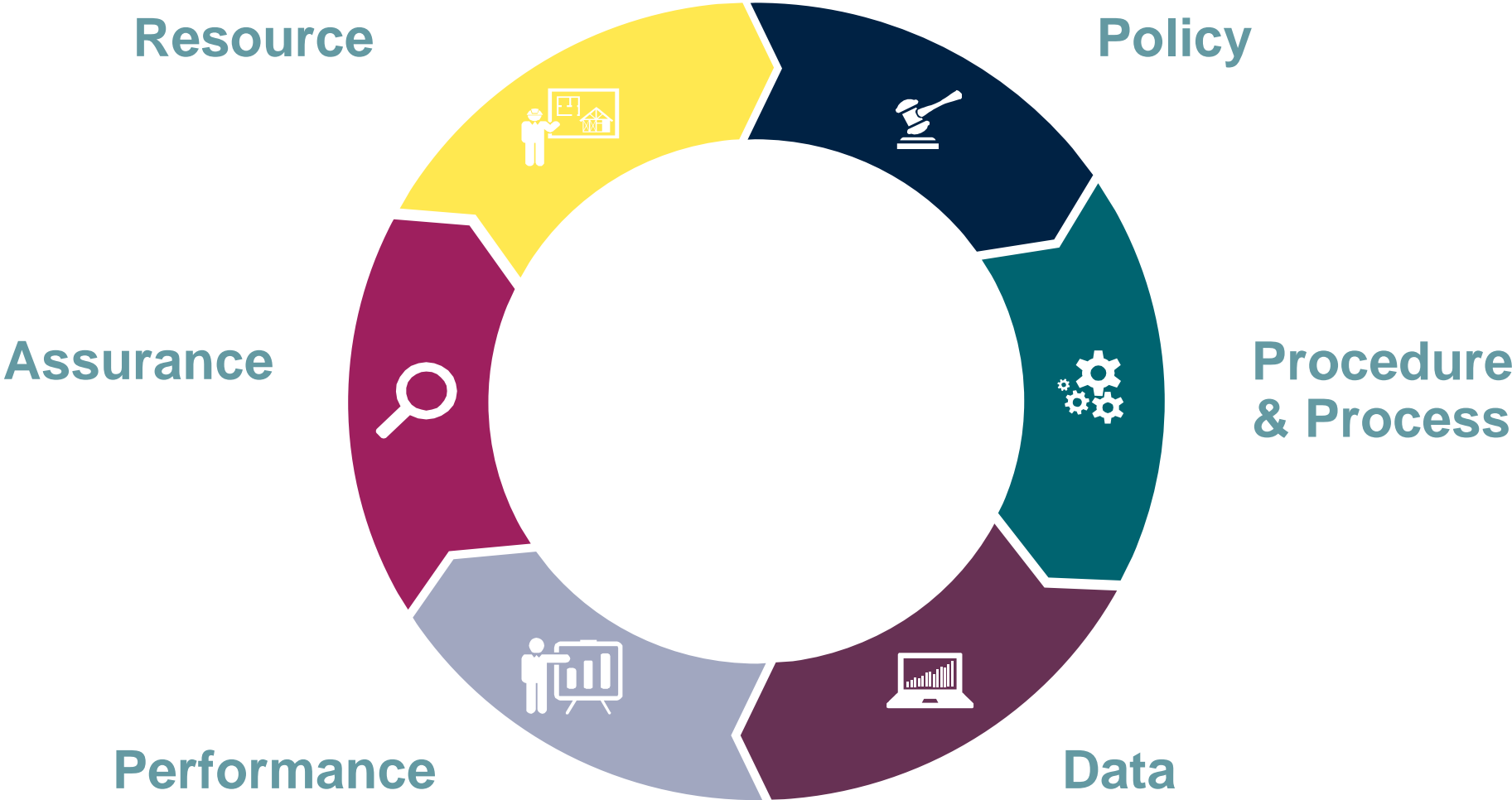
As already referenced, *existing requirements* of the Home Standard to be subject to new, pro-active approach to Consumer (Standards) Regulation by the RSH – with stronger enforcement powers – for both Housing Association and Local Authority Landlords.....however, White Paper also makes clear additional, **new Landlord Compliance Health and Safety requirements** to be introduced:

- Page 84 requirement for all to have **an individual person responsible for compliance with statutory health and safety responsibilities**, to be “visible and accessible to tenants”, sufficiently senior to “drive a culture of health and safety” (Chapter 4, para 61)
- consultation (closed 11th January 2021) on **mandating Smoke and Carbon Monoxide Alarms across all social housing**, alignment with the private sector via amendment to 2015 Regulations and Part J Building Regulations (Chapter 1, para 13/14)....implementation from October 2022
- separate consultation to be undertaken re **more effectively protecting social housing tenants from poor electrical safety** (Chapter 1, para 14)....now live, closes 31st August 2022
- clearly expressed expectations for **enhanced, two way communication by Landlords with their tenants in respect to Landlord Health and Safety obligations and how these will be met** – and overseen by a Regulator formally linked in terms of its own duty for information sharing with the Health and Safety Executive’s new Building Safety Regulator (Chapter 4, para 62)

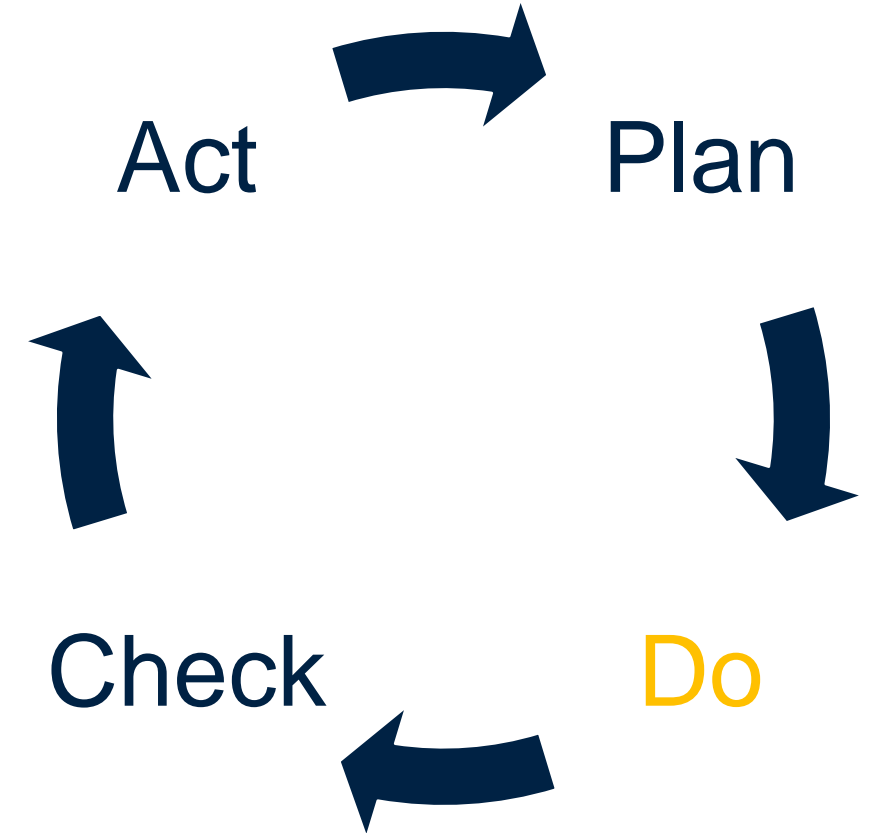
Our View....An Effective Landlord Compliance System/Framework



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Our View....An Effective Landlord Compliance System/Framework



Case Study – Gateshead Council 2019

- Regulatory Notice – Council had, via its ALMO ‘The Gateshead Housing Company’ (TGHC), “left thousands of tenants potentially exposed to an unknown risk of danger over a long period of time”
- Page 87 Until mid-2018 no operating Programme of Fire Risk Assessments, even in High-Rise buildings
- Also no regime of communal area Asbestos Surveys
- Failed to carry out Electrical Safety Inspections “in several hundred properties”
- The Council....

“did not have an effective system in place to allow it, through TGHC, to meet its statutory health and safety responsibilities across a range of areas”.

Case Study – South Kesteven District Council 2021

- Self-referred to the regulator – issues identified with its health and safety compliance obligations...failed to meet statutory health and safety requirements
- Over a thousand remedial actions identified in Fire Risk Assessments carried out in 2017 had not been completed
- Failed to ensure Solid Fuel Heating Appliances did not pose a risk to tenants
- For Electrical Safety, had not inspected any of its communal areas and just under half of individual properties had overdue inspections
- Asbestos Surveys for communal areas were also overdue

“We concluded that this was a breach of the Home Standard, and that there had been a risk of serious harm to tenants as a result. The Council accepted our findings. In response, the Council has strengthened its senior capacity, demonstrating appropriate leadership and ownership and has developed an action plan to address the underlying weaknesses in its **systems**”.

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Our Work with the Council to date....

Somerset Council

Monday 6th February 2023



Our Work with the Council to date....

- Series of Workshops since October 2022....to develop the Framework/Outline for a **Building and Resident Health and Safety Strategy**
- This **Building and Resident Health and Safety Strategy** intended to position the new Council positively relative to the new Regulatory landscape and its requirements ranging from the new Customer Satisfaction Measures to the requirements for HRRBs under the Building Safety Act 2022 to how customer complaints and responded to relative to the requirements of the Independent Housing Ombudsman
- Inevitably – *and particularly with such a changed regulatory landscape which is still being shaped* – some areas will require further development and work to implement in practice post-April 2023....and these are captured within the Strategy’s associated **Action Plan**
- In addition, Savills are now undertaking a **desktop review of the respective Landlord Compliance/Resident Health and Safety Systems/Frameworks deployed by HiS and SW&T** in order to assess their current status relative to the prescribed threshold of ‘safe and legal’ and to identify any initial and priority areas for focussed improvement
- Such a pro-active, engaged approach is far from common, and all involved in seeking such assurance should be congratulated across all the involved organisations

"It is a truly terrifying thought, but the GAG firmly believe that only a catastrophic event will expose the ineptitude and incompetence of our landlord the KCTMO"

Grenfell Action Group (GAG), November 2016

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Together we are delivering your

New Somerset Council

Joint Scrutiny: LGR Programme Update

Roshan Robati, Sarah Hawkins, Stephen Marsh, Jamie Sellick

Programme Director Alyn Jones

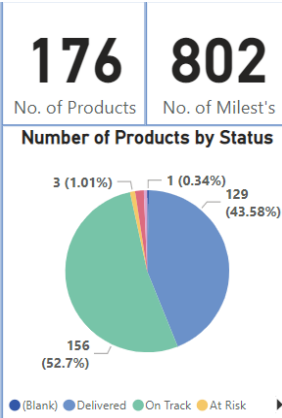
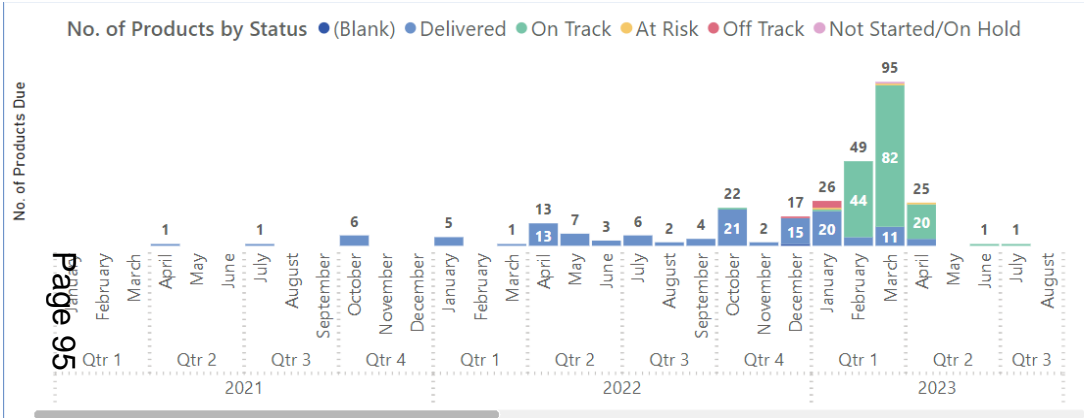
2nd March 2023

LGR Programme Update – Overall RAG *(data from 17/01)*

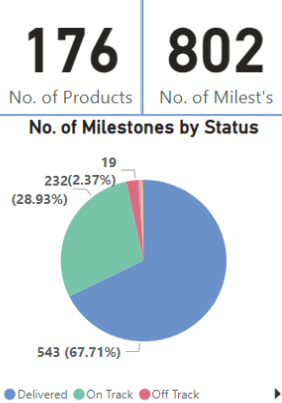
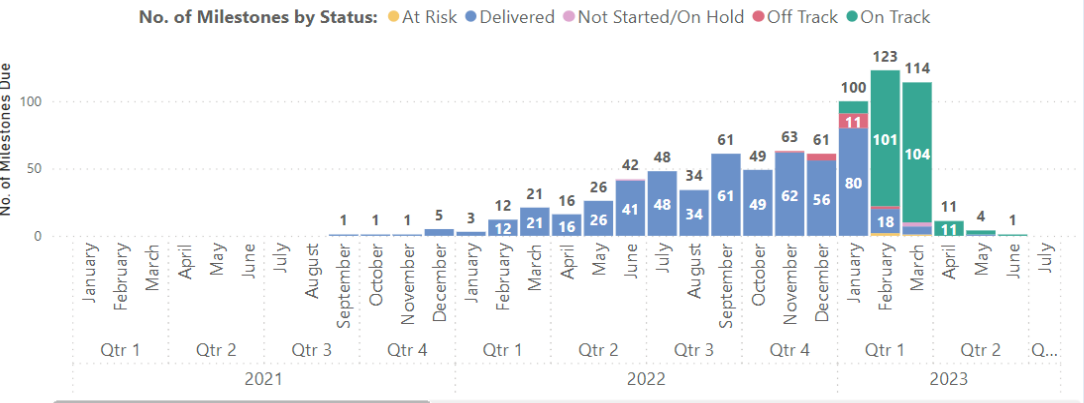
LGR in Somerset - Top Level Programme Scorecard - Position as of End of Jan 2023 [USING AVAILABLE DATA]

Page 4	Overall RAG		Resources		Schedule		Change Ready		Service Readiness (Above baseline. Higher better)	
	Last Period	This Period	Last Period	This Period	Last Period	This Period	Last Period	This Period	Last Period	This Period
Overall Prog. RAG	A	A	A	A	G	A	62.38%	59.00%	55.38%	55.38%
Assets Optimisation: Property	A	A	G	G	G	A	90.00%	90.00%	0 of 1	0 of 1
Assets Optimisation: Technical	G	A	G	G	G	A	76.00%	71.00%	1 of 2	1 of 2
Communities, Customers & Partnerships	G	G	A	A	G	G	50.00%	50.00%	3 of 3	1 of 4
Finance	A	A	R	A	A	G	80.00%	75.00%	1 of 4	1 of 4
Governance	G	G	A	G	G	G	42.00%	42.00%	2 of 5	5 of 5
People	A	A	A	A	A	A	50.00%	50.00%	0 of 2	0 of 2
Service Alignment	A	A	R	R	A	A	34.00%	39.00%	27 of 39	20 of 37

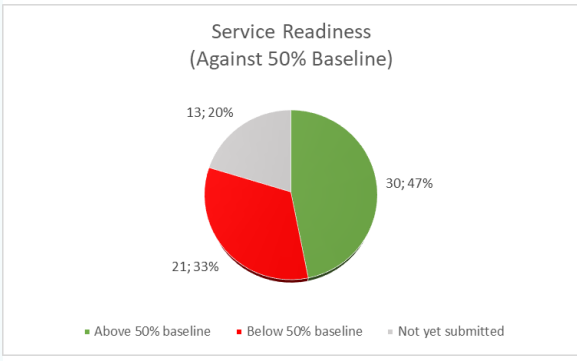
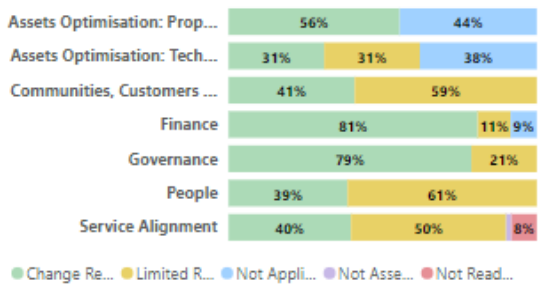
Programme Delivery and Vesting Readiness



Day 1 Readiness Outcome-Number of Critical Products by Product Change Readiness Status



Workstreams - % of Products by Sub-Workstream Change Readiness Status



Programme Update

- Work continues on transition planning to finalise scope and approach for future transition and transformation.
- A Transition Matrix which will baseline the extent of each service's alignment on vesting day and help inform the sequencing and pace of transitional change remaining (tranche 2 of the programme) to deliver the business case outcomes.
- Benefits Management work progressing with Benefits realisation Plan under development and tracking being mobilised in March
- Executive meeting 13th February approved:
 - Somerset Council Plan
 - Medium Term Financial Plan (MTFP) 23/24
 - Treasury Management Strategy
 - Housing Revenue Account (HRA) updated 30 year Business Plan and rent set for 23/24
- Agreement from Executive to the LCN proposals detailing boundaries and governance arrangements.
- Somerset West & Taunton switch to single platform took place 21st / 22nd January. Mendip switch scheduled for March - issue being managed re CAPITA resource for cutover.
- Completion of SW&T District Payroll transfer to SAP, all four Districts now complete.

Programme Update

- Tier 3 recruitment process underway with initial evaluation of posts that might be 'matchable' to existing roles.
- Draft Interim SAP Structure outlining how the 5 organisations staffing establishments will be bought into one on vesting day has been shared with Programme Board, Workstreams and SLT.
- Finance System design and build phase completed by the end of January.
- Project Beacon event took place Thursday 19th January, Museum of Somerset, Taunton. Second event at Rural Life Museum, Glastonbury scheduled for 23rd February
- Service Readiness Checklists live
 - Service assessments of how ready they are to operate with continuity from vesting day.
 - Excellent response rate and highlighted that the majority of services were where we hoped they would be.
- Staff and Member Readiness 'one stop shop' of information, support and guidance went live on the LGR Intranet in early February and will be developed iteratively to vesting day.
- Detailed picture of training that will be delivered pre and post vesting day is being compiled. Will form part of staff and member readiness information. Cumulative impact on stakeholders will also be assessed.
- Peer Review Action plan drafted to provide an overview of how all findings and recommendations are being addressed.

Workstream Update

People

- Timeline for Tier 3 recruitment finalised and recruitment process underway. Job descriptions and process communicated to all prospective candidates.
- Work on the Interim Structure is progressing to confirm where all employees will report into under the new tier 3 Director areas on vesting day. Principles and guidance have been prepared to inform and support Ws to plan transitional arrangements for how resources will be organised to ensure service continuity is maintained.
- Culture workshops with employees pushed back to after vesting day (tranche 2) to ensure adequate resource and focus on essential day one deliverables (e.g. tier 2 and 3 appointments, interim structure etc) and allow for new leadership team to be part of these.

Assets Optimisation (Property & Technical)

- The development of the Operating Model for major projects and asset management is now underway, following confirmation of key points from the Tiers 2 and 3 consultation outcomes.
- The SWT cutover was completed 21st and 22nd January, with additional contingency planning due to the risk of flooding in Somerset. Mendip District Council cutover has been replanned for March. The workstream team are monitoring the Exit Plan closely to ensure the cutover can be done in advance of vesting day.
- Resource remains stretched and is being monitored; single points of failure are known.
- Assets Management Plan paper has been produced in readiness for Full Council in February.

Customers, Communities & Partnerships (CCP)

- Successful switch over to Genesys telephony system in Sedgemoor and South Somerset resulted in positive reduction of demand.
- Whilst the build of the new single website is on track, the pace in which the content is migrating to the new website has been slow due to resource pressures. The resource requirements are being monitored closely to ensure successful content management for vesting.
- Workstream considering staff resourcing for Local Community Networks and recommendations are being developed for the incoming Tier 3 director.

Workstream Update

Governance

- Work has concluded on finalising the Unitary Constitution in readiness for March 1st Full Council.
- Officer Project Board in place to manage Taunton Town Council Implementation Plan and support the Shadow Town Council. The Town Clerk started in post on 30th January.
- Corporate Performance Framework for Somerset Council endorsed by Programme Board and interim approach to performance metrics whilst the Business Plan is developed. The Council Plan was approved at Executive on 13th February, ready for February Full Council. Designing of the Council Plan is underway with the Communications Team.
- Work on operational working arrangements, process alignment and ways of working underway for Democratic Services and Legal services to ensure consistency in administrative working practices to support Committee Meetings for completion by end of March.

Finance

- Finance system change and adoption plan (includes training) ready for roll out in March.
- Savings proposals for 2023/24 to balance the revenue budget shared with Executive on the 18th January, now progressing through Full Council.
- Alignment of Revenues & Benefits policy and processes has progressed, but medium-term service continuity risks remain (from October 2023) due to the proportion of staff on fixed term contracts. Workforce planning will be a priority in quarters 1 and 2.
- Resource pressures continue across finance but the picture is improving, with resourcing arrangements being developed to maintain service continuity through vesting day. This includes completion of all sovereign authorities Statement of Accounts by 30th September 2023. Extension of temporary contracts is underway to ensure appropriate capacity and knowledge.

Service Alignment and Improvement

- Continued risk of insufficient capacity to deliver the unitary (LGR) programme alongside business as usual (BAU) activity and ongoing risk of single points of failure but workstreams remains confident that the overarching products will be ready for Vesting Day.
- Workstream are awaiting approval on the Operators License application (this means fleet can be driven). There is regular contact with the Traffic Commissioner, and further escalations to the Commissioner will be pushed if no approval by March.
- During February and March Service Readiness reporting will move to fortnightly and will continue to monitor and support services get to where they need to be for Vesting Day

Programme priorities

- Final 2023/24 budget approved at Full Council on 22nd February.
- Finance System Testing to be completed by 3rd March. Training for staff through March.
- Council Tax Bills, Business Rate Bills & Benefit notifications correctly calculated & issued for 2023/24.
- Council Plan outlining strategic and political objectives for new council to be approved at Full Council on 22nd February.
- Unitary Constitution, Scheme of Delegation and Structural Change Orders to be agreed at Full Council on 1st March.
- Recruitment to Tier 3 posts and statutory posts. Concluding consultation around proposed TUPE measures for staff.
- Confirm Interim day one Payroll structure to inform SAP system build.
- Maturing readiness planning by services, including transitional operational working arrangements for how resources will be organised to ensure service continuity is maintained.
- Ongoing iterative development of staff readiness information, support and guidance with additional support and engagement via Staff Networks e.g. culture navigators.
- Mendip cutover to single platform in March.
- Publicising Executive decision on Local Community Network (LCN) roles, boundaries and staff with all partners and forming interim LCN team.
- New Council Intranet go live 1st March.
- Fleet Registration.
- Supplier Checklist to go live on website.
- Business Continuity Management Arrangements agreed by 15th March.
- Service Customer Standards, Customer Charter Promise and Customer Excellence Model go live.
- Single set of Terms and Conditions and grading structure for Somerset Council (new starters) by 31st March.
- Safe and Legal TUPE transfer of District Council Staff to new Council on 1st April.

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Programme Critical Path to Vesting Day (1 of 2)

LGR Programme - Critical Path

Filter by Date

Critical Path Level

Decision Point Forum

Filter by Tranche

Programme (Critical Path...)

All

Tranche 1

Filter by Workstream

Filter by Prod/Milestone

Filter by Status

All

All

All

2022
Q4
Oct

Nov

Dec

2023
Q1
Jan

Feb

Mar

Q2
Apr

Jan 2023

Jan 2023

Feb 2023

Feb 2023

Feb 2023

Feb 2023

Feb 2023

Feb 2023

Feb 2023

Feb 2023

Feb 2023

Feb 2023

Feb 2023

Operations
Licence in
place for both
LGV and PCV
vehicle

[Product 641] -
Off Track for
01/01/2023

Define
governance
arrangements
associated with
LCNs

[Product 1061] -
Delivered on
18/01/2023

Combined 5
Councils
Strategic Risk
Register

[Product 1200] -
Delivered on
01/02/2023

Fleet
operations day
1 operational
delivery
(ensure safe
and legal
services on
day 1)

[Product 638] -
On Track for
01/02/2023

Fleet
registration
[Product 651] -
On Track for
01/02/2023

Delivery of
Intranet
[Product 508] -
On Track for
13/02/2023

Service
Readiness
across the
programme for
vesting day

[Product 1201] -
Delivered on
13/02/2023

2023/24
Revenue &
Capital
Budgets and
MTFP approved
by Council

[Product 152] -
On Track for
22/02/2023

Appointment of
Senior
Management in
Tier 2
confirmed at
Full Council

[Product 82] -
On Track for
22/02/2023

Approval of the
New
Organisation
Structure for
Tiers 1, 2 & 3

[Product 70] -
On Track for
22/02/2023

New Operating
Model
Endorsed

[Product 71] -
On Track for
22/02/2023

Capital
Strategy For
Somerset
Council

[Product 402] -
On Track for
28/02/2023

Council Plan
outlining
strategic/political
objectives for
new council

[Product 1178] -
On Track for
28/02/2023

Mar 2023

Mar 2023

Mar 2023

Mar 2023

Mar 2023

Mar 2023

Mar 2023

Mar 2023

Mar 2023

Mar 2023

Mar 2023

Consequential
Orders

Product 6] - On
Track for
01/03/2023

Somerset
Council Key
Contacts - An
amalgamated
list of contacts
for Members
and Senior
Officers,
including
press,
parishes, Cllrs,
Officers, civil
dignatories,

[Product 54] -
On Track for
01/03/2023

Statutory Posts
appointed
before vesting
day

[Product 1171] -
On Track for
01/03/2023

Unitary Council
New
Constitution.

[Product 10] -
On Track for
01/03/2023

Unitary Council
Scheme of
Delegation

[Product 12] -
On Track for
01/03/2023

Single Identity
mgt. and
authentication
established

[Product 434] -
On Track for
06/03/2023

Single platform
and Identity
mgt goes live

[Product 433] -
On Track for
06/03/2023

Council Tax
Bills, Business
Rate Bills &
Benefit
notifications
correctly
calculated &
issued for
2023/24

[Product 216] -
On Track for
15/03/2023

Have in place
business
continuity
management
arrangements

[Product 484] -
On Track for
15/03/2023

New combined
CMS system

[Product 1190] -
On Track for
15/03/2023

Appointment of
Senior
Management in
Tier 3 Paper
ready for next
Full Council

[Product 83] -
On Track for
31/03/2023

Programme Critical Path to Vesting Day (2 of 2)

LGR Programme - Critical Path

Filter by Date

Critical Path Level

Decision Point Forum

Filter by Tranche

Programme (Critical Path...)

All

Tranche 1

Filter by Workstream

Filter by Prod/Milestone

Filter by Status

All

All

All

2022
Q4
Oct

Nov

Dec

2023
Q1
Jan

Feb

Mar

Q2
Apr

Mar 2023	Mar 2023	Mar 2023	Mar 2023	Mar 2023	Mar 2023	Mar 2023	Mar 2023	Mar 2023	Mar 2023
<p>Develop data sharing Framework [Product 1046] - On Track for 31/03/2023</p>	<p>Establish a set of Service Customer standards [Product 1027] - On Track for 31/03/2023</p>	<p>Interim service standards are delivered on Vesting Day in line with MTFP resource levels and any associated savings. [Product 1180] - On Track for 31/03/2023</p>	<p>Pension fund arrangements for Somerset Council in place [Product 398] - Delivered on 31/03/2023</p>	<p>Phase 1 of Single set of HR policies and guidance for new Council [Product 90] - On Track for 31/03/2023</p>	<p>Single HR/Payroll system for all Somerset Council staff [Product 73] - On Track for 31/03/2023</p>	<p>Single set of terms and conditions and pay and grading structure for Somerset Council (New Starters) [Product 76] - On Track for 31/03/2023</p>	<p>Standardised approach to incident Reporting [Product 1188] - On Track for 31/03/2023</p>	<p>Strategy for management of Health and Safety within Somerset Council (Governance and Comms) [Product 1184] - On Track for 31/03/2023</p>	<p>Wellbeing programme in place [Product 94] - On Track for 31/03/2023</p>
Apr 2023	Apr 2023	Apr 2023	Apr 2023	Apr 2023					
<p>Customer Charter Promise goes Live [Product 1014] - On Track for 01/04/2023</p>	<p>Customer Excellence Model [Product 1015] - Delivered on 01/04/2023</p>	<p>Establish a single approach (through the Contact Centre) to email contacts for the new authority [Product 1143] - On Track for 01/04/2023</p>	<p>Safe and legal TUPE transfer of staff from DCs to new Council [Product 102] - On Track for 01/04/2023</p>	<p>Taunton Town Council Operational [Product 1205] - On Track for 01/04/2023</p>					

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Somerset LGR Tranche 1 (critical for Vesting Day) products that have been delivered.



Delivered LGR Tranche 1 Products

The list of LGR Tranche 1 products that have been delivered (up to 20th January 2023) have been categorised into the following themes:

- Governance, Legal & Members
- Registration Approval & Licences
- Process & Transition
 - Programme Activity
 - HR & People Change
- Systems, Finance & Contracts
- Strategies & Policies
- Culture, Identity & Branding
- Customers, Communities & Partnership

Governance, Legal & Members

Page 105

Implementation
Governance
Meetings



Transition
Constitution



Unitary Council
Codes of Conduct
and Standards
procedures



Unitary Council
Members &
Officers protocol



Continuing authority
governance and
democratic
arrangements



Members induction
and Development
Programme



Taunton Town
Council
Governance
Review



Options paper for
councillor/ ward
arrangements.



Agreed Wards
and numbers of
councillors for
elections.



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Governance, Legal & Members

Page 106

Soundly run
Unitary Election
in May 2022



Resources for
Elections



Election
Candidate
Information Pack



Role descriptions
for Unitary
councillors



Member allowance
scheme 2022/23



Definition of a
key decision



Members ICT



Members
Portal



GDPR: ensure
services align with
approach developed
by information mgnt
for new authority



Governance, Legal & Members

Page 107

Establish initial Governance / TORs for each LCN pilot ✓

Principles of collaboration & co. design ✓

Role of the elected member ✓

Integrated Case Management system for IG ✓

Define governance arrangements associated with LCNs ✓

New Member Induction/ Welcome Pack ✓

SSDC Opium Power Ltd – Hand Over Report & Arrangements ✓

Unitary council public meeting venues ✓

Establish data transparency principles & culture ✓

Internal Audit Plan, Audit Charter and Risk Strategy approved and in place ✓

Registration Approval & Licences

Page 108

Approved
Structural
Changes Order



S24 Finance
Order



Somerset
Councillor
Declaration of
Interests Register



Consolidation of
schemes of
delegation



Harbour
Legislation



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Process & Transition -Programme Activity

Page 109

Corporate
Planning
Framework



Interim ICT &
Information
Management
governance framework



Building Control
Out of hours call
outs



Audit and
Alignment of
Duties



Hazardous
Waste



Review & align all
existing Climate
Emergency activities
and actions across the
five authorities



Transition Codes of
Conduct and
Standards
procedures for post
election period



Align all current
Climate Emergency
communication
across the five
authorities



Beach cleaning
Interface with
environmental
enforcement



Process & Transition -Programme Activity

Page 110

Fuel-Depot held fuel delivered and/or off site supply accounts set up.



Waste & Neighbourhood Plant & Equipment



Inspections of play



Maintenance/ Replacement of play



Service alignment on day 1 for closed churchyards



Amenity mtce Plant & Equipment



Waste & Neighbourhood Health and Safety



EH a single set of service standards and performance indicators



Countryside safety inspection regimes in place



Process & Transition -Programme Activity

Page 111

List of direct delivery
community health &
leisure initiatives /
programmes



Coastal
Protection
Authority role



Develop an
approach to
Identity Assurance



Up to 4 LCN pilots
by Dec 21



Planning for stable
BAU service
delivery on Vesting
Day



Translation and
Interpretation
Services



Pilotage
Powers



Corporate
Performance
reporting
framework



Process & Transition -Programme Activity

Page 112

ICT & information management policy, technical governance & standards frameworks



Mobile Telephony



In Flight ICT projects



Audit of Housing numbers & position for each part of the County



Establish data transparency principles & culture



Combined 5 Councils Strategic Risk Register



Service Readiness across the programme for Vesting Day



Toge

Process & Transition -HR & People Change

Page 113

Appointment of
Senior
Management in
Tier 1



Recruitment
Protocol
(transition period)



Internal Comms
Strategy



Environmental
Health Staff Skills
Audit



Staff Networks



Organisational
Change Protocol/
Framework



Single recruitment
process and
protocols



Embedding E, D & I
in the Recruitment
Practice



Statutory and
Corporate
Workforce
Reporting



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New Somerset Council

Process & Transition -HR & People Change

Page 114

Building Control
Out of hours Call
Outs
✓

LCN Staffing
Resource
✓

Systems, Finance & Contracts

Page 115

e-Recruitment system



Temporary Labour Contracts in place



Business Case Savings Phasing Estimates Agreed



Savings Capture Process for Budget



£18.5m savings identified (savings to be delivered by 31/03/2025)



Council Tax Harmonisation



2023/24 and medium term Revenue & Capital Budget estimates



Baseline assessment report of investments made for yield



Budget Monitoring process for the Implementation Costs



Business Case & Implementation Plan for Unitary Finance system



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Systems, Finance & Contracts

Provide a suite of data captures, including contracts, activity pipelines and spend profiles ✓

Provide a suite of data captures, including contracts, activity pipelines and spend profiles ✓

CAPITA contract plan ✓

Alignment of SWP operations with any new customer service function and/or system ✓

List of funding provided for in flight projects ✓

Countryside & Recreation List of live funded projects ✓

Review and secure Domains for Digital services ✓

Single Learning Management System ✓

Benchmarked Costed Service Structures ✓

Systems, Finance & Contracts

Somerset Council VAT
and Tax Registrations
Completed



Building Control Fee
Alignment



Trading Standards



2023/24 Fees and
Charges approved



In-year Capital
Budget Monitoring
Process



Network and
Telephony Go Live



Strategies & Policies

Page 118

A schedule of Public Spaces Protection Orders (and dog byelaws) across the County with their end dates



Records Management Strategy



Single set of HR policies and guidance for new Council



Equality and Diversity Policy



Equality impact Assessment



Unitary Council Whistleblowing Policy



A best practice Risk & Opportunities Management Framework and Strategy



Economic development grant policy



Records Management Strategy



Partnership Strategy Framework



Culture, Identity & Branding

Page 119

Calendar of
Public Meetings



Vision statement
for the
Behaviours &
Culture Work



Workshops, to
focus on culture
and the new
organisation



Network of
'Culture
Navigators'



Operational
impacts of any
changes to SWP
brand



Customers, Communities & Partners

Page 120

Waste &
Neighbourhood
Client function



Continue delivery
of HIA (SIP)
service



CCP customer
engagement and
user centred
approach



Agreed objective,
scope & definition(s)
to enable enhanced
partnership working



New Register
of Partners



Scope and confirm
arrangements for
core grants to
VCFSE



Community
Engagement
Maintained



Equality
Objectives



Principles of
collaboration &
co. design




CCP customer
engagement and
user centred
approach



Customers, Communities & Partners

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Define and confirm
geographical areas
for LCNs



Economic
intelligence hub



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LGR Forward Plan of decisions and scrutiny

Last update: on 20 January 2022



LGR Forward Plan

- Outlines the Tranche 1 product decision points, lead-in meetings and forward plans (not including programme updates) for:
 - Joint Scrutiny Committee
 - Implementation Board
 - SCC Executive
 - SCC Full Council
 - SCC Constitution and Governance Committee
 - SCC HR Committee
- This Forward Plan is being used to ensure that Workstreams are confident they have their decision points planned out, considering remaining time and number of meetings before Vesting Day.

2 March 23

Page 124

- Building & Resident Health and Safety Strategy

14 March 23

Page 125

- Day 1 readiness
- Post-Vesting Day strategy and governance

(the above are not LGR programme products)

27 February 23

- Digital & Inclusion
- Transition Technology
- Interim Service Standards proposals
- Unitary Council Governance
- Data Strategy
- Asset Management Strategy and Policy Framework
- Budget rent set (incl. HRA and Business Plan and other housing budget approvals)
- Exceptional Hardship Scheme
- Council Plan
- MTFP & other budget approvals

15 March 23

- Private Sector Housing Renewal
- Customer Strategy
- Building and Resident Health & Safety Strategy

22 February 23

- New Organisation Structure for Tiers 1-3
- Non Treasury Investment Strategy
- Treasury Management, Capital & Investment Strategies
- Internal Audit Plan, Audit Charter and Risk Strategy
- Financial Regulations, anti-fraud and whistleblowing policies
- Risk Management Strategy & Policy Framework
- MTFP - final budget
- HRA 30 Year Business Plan
- Confirmation of tier 2 appointments.
- Housing Rent policy
- Revised Constitution
- 23/24 Budget, Tax and Rent
- Asset Management Plan and Policy
- Capital Strategy for Somerset Council
- Council Plan
- Unitary Council Governance

Standing items

- Constitution Review Update

14 February 2023

- Democratic arrangements
- Draft Constitution to recommend to Full Council

February

- Disciplinary
- Grievance and Bullying and Harassment
- Appeals
- Pensions Discretions

March

- Sickness Policy (excluding pay)
- Redeployment
- Purchase Leave Scheme

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Programme Level Risks

2nd March 2023

Angela Farmer

Ask of LGR Joint Scrutiny Committee:

1. Acknowledge the work done to date on the management of risks
2. Note the current programme risk position
3. Note the work that is being undertaken to deliver Risk Management for the new Council and transition
4. Discussion about Member participation including Member involvement moving forward into the new Somerset Council

Key points for discussion:

1. The approach to risks now and in the future
2. Member participation

Today, will look at and discuss

1. Where we have come from – how risks have been managed
2. Where are we now
3. Where we are going with risks and what will happen to the current risks for the programme
4. Member involvement - do Members feel that the proposed way forward for risks, i.e. transition risks and the wider risk agenda, is sufficiently clear and ensures that they feel able to scrutinise risks and question the risks on the register as well as identification of new areas for consideration

Where we have come from

Risks have been continuously managed and monitored since March 2022 as follows:

1. Through Programme Board, monthly reports
2. With LGR Programme Director, weekly basis
3. Reports to committees including:
 1. LGR Joint Scrutiny
 2. LGR Implementation Board
 3. SCC Audit Committee
4. Through Programme Team, through weekly meetings which includes workstreams

Where we have come from

Overview of the management of risks

Month	Number of programme level risks	Updates
March 2022	19	I risk moved to issue, 2 risks combined to one
April 2022	17	
June 2022	17	I new risk identified, 1 risk closed
July 2022	17	2 new risks identified
August 2022	19	I new risk identified, I risk closed
September 2022	19	1 new risk
October 2022	20	
November 2022	20	
December 2022	20	Major review – 3 closures, 4 transitional risks, 13 Business ready risks

Where we now

Major review of programme level risks in December and agreed in January resulting in:

1. 3 risks closed
2. 13 risks identified as risks to the programme
3. 4 risks that are considered transitional (risks that will move forward into the Somerset Council's risk registers)
4. 13 risks added as risks related to business readiness for day one
5. Monitoring ongoing including Member participation through the process
6. Revised and updated register set out in the next slides set against the day one success outcomes

What day one success looks like

Customer access the services they want and get the support they need

Ref	Risk Description	I	Controls and actions	R
PL23	The risk that non-delivery or late delivery of LGR products that other workstreams are dependent on	12	<ul style="list-style-type: none"> Reliable critical path is available, with regular opportunities to monitor and course-correct when necessary Regular opportunities for project managers to review with workstream an sub-workstream leads Review of scorecards Robust programme and project planning Modelling interdependencies incorporated into work plans and must haves Adequate resourcing of programme staff with appropriate capabilities and capacity to deliver workplan Utilise lessons learned from other programmes Dedicated LGR programme managers in post 	12
PL413	The risk that services will not be fully ready on vesting day	12	<ul style="list-style-type: none"> Service readiness checklist – initial overview and follow-up Business Readiness group in place Quality assurance monthly check ins 	9

What day one success looks like

Staff and Members do their jobs, working well and staying safe

Ref	Risk Description	I	Controls and actions	R
PL12	The risk that there are insufficient resources to implement LGR Programme and deliver the approved business case	20	<ul style="list-style-type: none"> • Early definition of resource requirements (capability and capacity) as part of gateway • PMO Team in place • Monthly scorecard resource identification 	9
PL13	Unforeseen emergency or business continuity interruption or rising tide situation that requires staff to be directed from day job into incident response	16	<ul style="list-style-type: none"> • Existing BC arrangements in each council to deal with unexpected emergencies prior to April 2023 • Wider BC work to deliver individual BC plans for new Council as well as a Corporate Plan for the new Council • Existing CCU unit supported by districts staff in place to support up to April 2023 • Gold structure in place 	12
PL25	The risk that BAU activity within Councils is impacted by stretched staff resources balancing LGR and BAU work	20	<ul style="list-style-type: none"> • Recruitment protocol • Staff engagement at local level on a regular basis • BAU process at local level to ensure any additional work is scrutinised before agreeing to continue • Monitoring key performance indicators for any drop off in service provision/performance • Monthly scorecard resource identification 	9

What day one success looks like

Staff and Members do their jobs, working well and staying safe

Ref	Risk Description	I	Controls and actions	R
PL414	The risk that staff moral and resilience will be at a low ebb, impacting their wellbeing	16	<ul style="list-style-type: none"> • Staff Surveys undertaken with further planned • Survey results analysed and outcomes to target particular group • Staff readiness group • Development of staff readiness directory • Staff network with a focus on particular aspects such as protected characteristics • Culture navigators • Wellbeing survey undertaken to support wellbeing strategy for new council 	9
PL415	The risk that staff with split roles or roles that aren't service specific will be unclear what their role will be in the new authority	12	<ul style="list-style-type: none"> • Interim SAP structure (1274) • Staff readiness directory • T2 positions in place • T3 to be in place by 1/4/23 	12

What day one success looks like

Somerset Council make effective and efficient decisions

Ref	Risk Description	I	Controls and actions	R
PL10	There is a risk of a significant budget gap for the new Somerset Council in 23/24 when Districts and County budgets combine, significantly impacting the financial sustainability of the new council	20	<ul style="list-style-type: none"> Finance and asset protocol across 5 councils S24 Notice from DHLUC effective May 2022 Budget monitoring processes in the 5 councils Balanced budget for 23/24 for Somerset Council to be agreed by Full Council Feb 23 LGR Programme is being used as part of the vehicle to deliver MTFP to ensure that alignment, design and development of services across the programme within the budget envelope 	9
PL15	Failure of workstreams/projects to achieve their expected financial benefits as described in business case	16	<ul style="list-style-type: none"> Tranche 1 products agreed Work on Tranche 2 products started LGR Programme is being used as part of the vehicle to deliver MTFP to ensure that alignment, design and development of services across the programme within the budget envelope Robust benefits realisation planning in place Monitoring through programme reporting LGA commissioned to deliver costed service structure Contract analysis prioritisation and related opportunities 	12
PL26	The risk that the back office ERP system not sufficiently implemented to support new authority	16	<ul style="list-style-type: none"> Implementation plan that delivers in excess of the minimum viable product Continued close management of implementation partner against published programme Clear governance and oversight Independent governance oversight role by SOCITM Training be undertaken in February Change agents to be in place Super users from across the councils Business readiness to monitor progress 	8

What day one success looks like

Somerset Council make effective and efficient decisions

Ref	Risk Description	I	Controls and actions	R
PL111	The risk of overspend on the £16.5m LGR implementation budget	16	<ul style="list-style-type: none"> The approved commitments are being challenged if the funding has not be fully committed to ensure the bid is still required, if it is not or can be reduced this will make more funds available for the programme. Work is underway to revisit the redundancy figures] Programme board monitoring 	12
PL139	Inter-dependencies between workstreams not managed effectively	12	<ul style="list-style-type: none"> Programme tranches developed A process/approach for management of dependencies to ensure impacts of change (time/cosy/quality) are easily understood at both workstream and programme level. PMO providing assurance against delivery of programme capabilities Dependency management tool in central list (sharepoint) T1 products dependencies to be assessed are T1 sign off (Date: ongoing Management of dependencies and interdependencies are part of monthly assurance meetings between PMO and workstream 	6
PL367	The risk that the 5 councils will overspend in 22/23 and have to use reserves	25	<ul style="list-style-type: none"> Regular budget monitoring 	16

What day one success looks like

Somerset Council make effective and efficient decisions

Ref	Risk Description	I	Controls and actions	R
PL416	The risk that decision making will be unclear and confused	12	<ul style="list-style-type: none"> Decision overview produced to be clear what needs to do to what committee Internal Governance will be reviewed after Vesting Day New constitution (10) Service readiness checklist 	9
PL417	The risk that there is a lack of clarity of vision and priorities	12	<ul style="list-style-type: none"> New Member, new panels – training planned Training of constitution Corporate plan (1178) 	9

What day one success looks like

Staff and Members are positive ambassadors

Ref	Risk Description	I	Controls and actions	R
PL417	The risk that there is a lack of clarity of vision and priorities	12	<ul style="list-style-type: none">• New Member, new panels – training planned• Training of constitution• Corporate plan (1178)	9
PL418	The risk that there will not be visible and active leadership on vesting day and beyond	12	<ul style="list-style-type: none">• T2 appointed• T3 in place by 1/4/23• Interim SAP structure (1178)• Staff readiness directory in place	9

What day one success looks like

Staff are uniting as one team

Ref	Risk Description	I	Controls and actions	R
PL419	Lack of clarity of what teams look like on Day One – inability to complete readiness activities to manage that change	16	<ul style="list-style-type: none"> Interim SAP Structure (1178) Aligned base budgets for Somerset Council 	12
PL420	The risk of capacity and resource issues leading up to Vesting Day	16	<ul style="list-style-type: none"> Interim SAP Structure (1178) Aligned base budgets for Somerset Council Regular prog resource review 	12
PL421	The risk that staff will not work together as teams	12	<ul style="list-style-type: none"> Service readiness checklist Bringing of district and county service teams together to form one team Interim SAP structure (1178) 	9

What day one success looks like

Staff are uniting as one team

Ref	Risk Description	I	Controls and actions	R
PL419	Lack of clarity of what teams look like on Day One – inability to complete readiness activities to manage that change	16	<ul style="list-style-type: none"> Interim SAP Structure (1178) Aligned base budgets for Somerset Council 	12
PL420	The risk of capacity and resource issues leading up to Vesting Day	16	<ul style="list-style-type: none"> Interim SAP Structure (1178) Aligned base budgets for Somerset Council Regular prog resource review 	12
PL421	The risk that staff will not work together as teams	12	<ul style="list-style-type: none"> Service readiness checklist Bringing of district and county service teams together to form one team Interim SAP structure (1178) 	9

What day one success looks like

Customers have a positive experience

Ref	Risk Description	I	Controls and actions	R
PL19	Design/products to create new unitary council will not have the community as a central focus in the design of the new operating model	12	<ul style="list-style-type: none"> • Programme and workstream checkpoint review criteria • Ensure LGR Advisory Board remains effective, inclusive, transparent and accessible (PSG) • Embody community focus as a critical requirement of operating model development through workshops, research and engagement (CCP) • Ensure TOM development reflects emerging customer strategy and principles (CCP) • Engagement with all workstreams to secure agreement/recognition that communities focus goes beyond safe and legal (CCP) • Ensure interdependencies are identified and managed through iterative discussion and collaboration (CCP) • Specifically, engage with People workstream to support as ethos and culture of communities and customers first (CCP/People) • Involve customers and communities in the design of products and services (CCP) • Learn from customer experience and feedback (CCP) • Develop sound business case to underpin sufficient resourcing to deliver communities focused objectives (CCP/Finance) 	12
PL422	The risk to continuity of service	16	<ul style="list-style-type: none"> • Service readiness checklist • Business readiness framework • Business continuity arrangements in place (484) • Planning for stable BAU on day one (1179) 	12

What day one success looks like

Staff and Members have a positive experience

Ref	Risk Description	I	Controls and actions	R
PL309	The risk that there is insufficient capacity to manage the people side of change	16	<ul style="list-style-type: none"> • Change management approach, quality framework and tools established and in use • Supplementary offer to strengthen change capabilities started and will continue to evolve, e.g. targeted interventions and coaching, high risk, high need products in T1 • Validation of approach and priorities with PwC and our Unitary partners • Working closely with comms and People workstream • Plans in place to identify and collaborate with wider change assets across all organisations • Mobilisation of tactical change management resource to work alongside and support existing network of change management across all organisations • Engagement with programme and WS leads to unite thinking and drive profile of people side of change as core competence of programme • Evidence based approach to defining extent and impact of T1 products to define level of need and target resource where needed most • Application of data and insight from across WS to build programme change plan and EIA support • Embedding change management within current assurance practice and reporting • Nominated lead for People change 	12

What day one success looks like

Staff and Members have a positive experience

Ref	Risk Description	I	Controls and actions	R
PL358	The risk that the process of appointments to TS/T3/T4 roles could result in an employment claim if process is not followed properly	16	<ul style="list-style-type: none"> Incoming new Chief Executive taking ownership of the risk SSDC Chief Executive taking on sponsor role for People workstream Regular reporting back to PB by People workstream Consultation with PB Consultation with Trade Unions on the procedures External legal advice being taken Member engagement in T2 appointments and T3 appointments 	12
PL423	The risk that staff and Members don't have a positive experience which has a detrimental impact in building a new Council for the residents for Somerset	16	<ul style="list-style-type: none"> Staff readiness directory Staff networks in place for support Culture navigators in place Member training 	12

Where are we going Programme risks (programme and workstreams)

Programme risks and workstream risks:

1. Review all risks to determine whether they have been mitigated
2. If they have then they will be closed for 31/3/23
3. If they have not,
 1. Any reason why they haven't been mitigated
 2. Is the risk, a risk for the wider organisation, or one to be considered to be transitional
 3. Review any risk moving forward - scores, mitigation, ownership

Where are we going?

Risks for the transition

1. From review of programme and workstream risks, build register for transition/next phase of the programme
2. Determine new risks through assessment of tranche 2 and transition
3. Bring together the register with scores, mitigation and ownership
4. Create the register on SharePoint
5. Agreement to monitoring and review
6. Member participation
 1. SCC Audit Committee include both Somerset Council risks and Transitional/next phase of the programme risks
 2. Performance, risk and budget monitoring board (joint officer and Member board)

Where are we going?

Risks for the wider Somerset Council

1. Creation of the new Strategic risk register for Somerset Council - already identified that all but one current SCC strategic risks will move over. New risk areas based on the district strategic risks including housing, water borne risks, commercial investments, staff resilience and community resilience - work to do with Executive Directors and Service Directors to support the development of these risks including what the risks are, scores, mitigation and ownership
2. Creation of service level risk register for Somerset Council – bring forward the current district service risk registers and develop the service level risk registers for the new Council
3. Amalgamation of major project risk registers as needed
4. Ongoing Member participation will include:
 1. SCC Audit Committee every other month,
 2. Major project programme boards
 3. Performance, risk and budget monitoring board (joint officer and Member board)