



**FAO - Jonathan Driscoll, Lisa Driscoll and Marcus Roe**

Regulator of Social Housing  
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**Your ref:**

**Our ref:** RSH/2022/02

**Date:** 10 March 2022

**Please ask for:** Heather Tucker

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Dear Sirs / Madam,

### **Update from East Suffolk Council**

Further to our meeting on 1<sup>st</sup> March 2022, I am writing to provide you with an update on the work currently being undertaken by East Suffolk Council (ESC) in relation to potential non-compliance with the Home and Rent Standards. For ease of reading, I will break the updates down between the Home and Rent Standards.

#### Home Standard

All of the main compliance areas are broken down below. Each one has a table showing the current levels of compliance. This is a new mechanism we are using for monitoring compliance, and it is completed every month, so all of this data is based on the level of compliance at the end of February.

#### **Fire**

<b>Number of properties requiring FRA (Fire Risk Assessments)</b>	<b>Number of FRA's due and completed</b>	<b>Number of FRA's that don't have a survey</b>	<b>Number of remedial actions</b>
<b>93</b>			
Target	<b>93</b>	<b>0</b>	<b>0</b>
Actual	<b>33</b>	<b>29</b>	<b>370</b>
Performance	<b>35.48%</b>	<b>31.18%</b>	<b>Noted</b>

We have recently appointed *Ensure Safety and Compliance* to conduct Fire Risk Assessments in 93 buildings across a six-month period, which will be completed in June. They commenced FRA's on

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our Retired Living Schemes during January and February and to date they have completed 33 and we have received 18 FRA's, which have highlighted 370 remedial actions. The other 15 FRA's are expected imminently. We have developed mechanisms to ensure we are carrying out recommended works, so any identified risks are mitigated.

We will use the risks identified in the current FRA's, to determine whether future FRA's should be conducted every 12, 24 or 36 months and ensure they are built into the appropriate programme going forward, so that all FRA's are conducted in line with the correct timescale.

As I mentioned in my previous letter dated 9<sup>th</sup> February 2022, we are currently developing a new Fire Safety Strategy, which we will be asking Cabinet to approve in the next three months. This will ensure the effective management of our stock to reduce the risk of fires.

We have also been developing a Technical Fire Safety Standard. The overall purpose of this Standard is to support ESC's Fire Safety Strategy and it incorporates a range of minimum standards designed to meet the requirements of The Regulatory Reform – Fire Safety – Order 2005, within properties owned and/or managed by East Suffolk Council, ESC and takes into account, where relevant, published guidance on Fire Safety in purpose-built blocks of flats (2011), LACORS (Local Authorities Coordinators of Regulatory Services) – Housing – Fire Safety and Fire Safety in Specialist Housing (2017) etc. The Technical Fire Standard and Fire Safety Strategy will be implemented together.

## Gas Safety

Number of properties requiring LGSR (Landlords Gas Safety Record) inspection	Total Number of LGSR's (Conducted in the past 12 months)	% LGSR's Compliant Communal	% LGSR's Compliant Domestic
3,716			
Target	3,716	23	3,693
Actual	3,712	23	3,689
Performance	99.89%	100.00%	99.89%

This information has been taken from our Housing Management Software - Orchard system following the daily completion reports from Gasway, our Gas Servicing contractor that ESC update on Orchard. This information has been taken from our Housing Management Software - Orchard system following the daily completion reports from Gasway, our Gas Servicing contractor that ESC (East Suffolk Council) updates on Orchard.

## Electrical Safety

Number of properties requiring EICR's (Electrical Installation Condition Report) 4,439	% Overall EICRs compliant	% of Communal Area EICRs compliant	% of Dwelling EICRs compliant	Number of overdue EICRs for communal	Number of overdue EICRs for Dwellings	Number of properties between 5 and 10 years	Number of dwellings within 5 years	Number of dwellings Over 10 Years
Target	4,439	271	4,168	0	0	0	0	0
Actual	4,114	65	4049	206	160	2,788	1,262	366
Performance	92.68%	23.99%	97.14%	76.01%	3.84%	62.81%	28.43%	8.25%

Our Electrical EICR Programme is managed by our inhouse workforce. We have 4,439 properties, which require testing. Our current records show that we have 336 properties, which have not been inspected within the last 10 years.

This information has come from 'Keystone,' which is our Housing Management Software for Assets. When an order is raised in 'Orchard' where the ECIR code is used, this is exported to 'Keystone.' However, there are errors in the way the information goes from 'Orchard' to 'Keystone,' which needs to be resolved. Therefore, it is believed the figure of 336 properties over 10 years is incorrect and is potentially much lower. Additional work is being carried out on the export files and trying to ascertain where the fault might be, so this can be resolved.

### Water Hygiene (Legionella)

Number of properties requiring water check:	Number of properties with communal water facilities that have been risk assessed this includes 10% flat inspections	Number of water risk assessments overdue for review
15		
Target	15	0
Actual	15	15
Performance	100.00%	100.00%

We have water hygiene risk assessments for the 15 schemes, which were completed in 2019. At each site, a Retired Living Scheme Manager carries out weekly temperature tests and if any failure is identified, an order is raised for the remedial works to be completed by our in-house team. We do not currently have a policy for the management of water hygiene, but once this is completed, it will set out the frequency of the risk assessments in the future.

We have instructed Nemco Utilities to conduct up to date risk assessments this month. We are expecting the reports to take up to two weeks to be provided to us, so we should get these in mid-April at the latest. However, we have asked them to confirm in writing, by the end of this month, that all inspections have been completed.

## Asbestos Management

Number of properties requiring Asbestos check	Number of communal areas surveyed for asbestos	Percentage of Asbestos containing material overdue for reinspection's
93		
Target	93	0
Actual	93	93
Performance	100.00%	100.00%

We currently have a contract with 'Lucian,' who hold an Asbestos Register, but only for the properties they have surveyed since the contract commenced, in 2019.

We have a copy of all other asbestos surveys on our 'Keystone' system, but these have not been shared with Lucian, which means they are not listed on the Asbestos Register. We are now investigating how we share this information with Lucian, so that we have 'one' register, which we can use to ensure the effective management of Asbestos.

Following the Management and R&D surveys, removals that are practicable have been undertaken. For the external works, re-inspections should have taken place on a regular basis, based on the risk of the Asbestos being damaged. At present, we cannot locate this risk assessment so this will need to be undertaken in order to produce a programme over the next three years. We can confirm that there have not been any re-inspections since 2019.

## Lift Safety

Number of properties requiring LOLER Inspections	Number of lifts and stair lifts requiring a LOLER examination	Number of lifts overdue a LOLER examination
82		
Target	82	0
Actual	0	82
Performance	0%	100%

We are responsible for 14 lifts and 68 stairlifts and we currently have a contract with 'Stannah' to complete the regular servicing, which is up to date. We previously used Zurich to conduct annual LOLER inspections, but these were cancelled in March 2021, we have now entered into a contract with 'Ray Tuttle' who will be conducting the inspections to the LOLER specification and produce LOLER certificates this month.

The following contracts have been in place since 2019: -

1. Gas - Gasway have the contract for gas servicing and safety checks, they carry out all repairs as part of the three-star service and anything else is quoted for, and we approve or look at a different approach going forward
2. Asbestos – We have a contract with Lucien for the Asbestos surveys. They carry out around 60 management surveys per year and R&D surveys for any major/programmed works. We will be issuing a variation to undertake the reinspection's
3. Electrics - The EICR's are carried out by the inhouse team, where all repairs are completed following the test and programme in if it requires a rewire
4. Lifts - We have a contract with Stannah Lifts who carry out the monthly inspections on the 14 lifts and the annual inspections of the 68 stairlifts

During the last few months, once we started to identify some issues in the approach of compliance management, we have awarded a number of new contracts: -

1. FRA's – We now have a contract with Ensures through a Fire framework with Advantage South West (ASW) to carry out the risk assessments and store on their Twine System, which we control and which issues the actions to the relevant team/contractor and can only be closed with evidence.
2. Water Hygiene – We now have a contract with Nemco Utilities who did the previous risk assessment in 2019. They will survey the communal areas and a 10% inspection of flats/rooms.
3. LOLER inspections/certification - We now have a contract with Ray Tuttle to undertake the six-monthly inspections on the lifts and the annual inspections on the stairlifts producing LOLER Certification

## **Conclusions**

In all areas of compliance, we are not currently conducting any sample testing or external validation on the data held to give us assurance that it is correct. We are currently identifying which organisations can offer this level of independent assurance and looking at what measures we can put in place in house to also conduct some of this work, with immediate effect. We are currently obtaining quotes to provide a third-party assurance by desktop, and physical checks of at least 10% per month for the Gas, Electricals, Lifts and Water Hygiene which we hope to have in place in April 2022.

## **Rent Standard**

We have been working with David Tolson Partnerships (DTP) who will be overseeing the forensic audit of all tenancies. They have identified two potential candidates who can carry out the detailed review and I am meeting them both this week to discuss the work involved. We will then be working with DTP to establish a contract with a view of this being completed by the end of the March, so the audit can commence in April. It is anticipated, with two people conducting the audit,

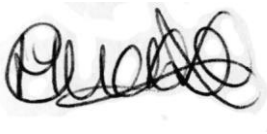
that this work will be completed by early June 2022.

I hope this letter provides sufficient assurance that East Suffolk is taking all reasonable steps to ensure compliance to meet both its own standards along with those set out by the Regulator as soon as practicable.

East Suffolk recognises that our ability to provide limited assurance currently falls below its obligations as a Social Landlord. However, we believe the steps now being taken, which are evidenced in this letter, provides assurance that East Suffolk will be compliant by June 2022.

Please let me know if you would like to arrange a further meeting to discuss these matters in more detail.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Heather Tucker', with a stylized flourish at the end.

**Heather Tucker | Head of Housing**  
East Suffolk Council