

Report of Head of Head of Voids, CPM, Disrepair and Responsive Repairs

Report to Director of Resource and Housing

Date: July 2019

Subject: Request to increase capacity in the Housing Disrepair team

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1 Summary of main issues

- 1.1 Over the past several months the housing disrepair team has seen a steady increase in the number of claims received by the council, at present we have a significant increase in the number of disrepair claims as compared to previous months and the same time last year. It is imperative that P&C is adequately resourced to deal with increase in volumes. The additional capacity is primarily surveying resource which some management support all of which can easily be deployed into a number of teams across Property and Contracts (P&C) when the number of disrepair claims numbers subsides.
- 1.2 The Council's technical resource should be sufficient to undertake obligations in order that we remain compliant with the timeframes as set out in the disrepair protocol. The assessments and documentation produced by technical staff has to be sufficiently robust to withstand scrutiny by both third party solicitors and the overall court process, it is therefore important that the tasks are undertaken in a manner that is not rushed, it needs to be measured and of a high quality, at the same time the technical officers oversee all aspects of quality assurance and contract management of on-site activity during the works period. The current increase in volume is making it increasingly difficult to remain within the 15 day timeframe set aside for the housing team and the quality of reports is being compromised which presents a risk to the council.
- 1.3 It is important that the additional technical resource sits internally and is directly managed by P&C. A great deal of energy has been expended over the last 12 months to raise awareness of the disrepair function across wider P&C and Housing Leeds. Technical staff that form part of P&C will better understand the

wider context of our landlord obligations, the wider work of the division and the various work streams that form part of our disrepair prevention strategy.

2.0 Recommendations:

- 2.1 The Director of Resources and Housing is requested to approve the recommendation to increase capacity in the Housing disrepair team by an additional six FTE posts. This growth in capacity will ensure that Property and Contacts has an appropriate level of resource to deal with all claims within the disrepair protocol timescales and result in a reduction in expenditure pertaining to third party legal fees and damages.

3.0 Purpose of this report

- 3.1 To seek approval to increase the capacity of the housing disrepair team structure by an additional six FTE posts to ensure Housing Leeds is sufficiently resourced to deal with all disrepair claims within the 15 days of the disrepair protocol timescales assigned to the housing disrepair team.
- 3.2 The increased capacity within the team structure will also support the delivery of disrepair prevention activity and place the council in a stronger position to deal with the impact of the Fit for Human Habitation Act.
- 3.3 A copy of the current disrepair structure is attached Appendix A and Appendix B outlines the proposed disrepair structure.

4.0 Background information

- 4.1 LCC is the second largest housing authority in the UK and as such attracts a high level of activity from claims farmers. A significant amount of work is underway to utilise the data we hold on claim farmer activity, asset and investment data, tenant profiling to support our disrepair prevention strategy. A byproduct of a successfully strategy is that it will divert disrepair claims activity away from Leeds. This is a medium term strategy and will take time to yield results. The short term priority is to deal with incoming claims swiftly and appropriately so that the level of spend is limited and the benefits to third party solicitors are kept to an absolute minimum.
- 4.2 The Homes (Fitness for Human Habitation) Act 2018 came into force on 20th March 2019. This new legislation is intended to ensure that all rented accommodation is fit for human habitation and to strengthen tenants' rights against landlords who do not fulfil their legal obligations to keep their properties safe. There is more onus on the landlord to know the condition of its assets rather than relying on tenant to report repairs. From 20 March 2020, the Act will apply to all periodic tenancies, it is anticipated that nationally, this will lead to an increase in the number of disrepair claims.
- 4.2 In order to do this LCC needs to be able to access sufficient resource to respond to claims promptly and efficiently and challenge the perception that Leeds is an easy target. To change this the team are working closely with colleagues across Housing Leeds, legal services and DIS to identify all opportunities to streamline processes. This is one aspect of the work required. Alongside this we continue to explore all options available to reduce the flow and volume of claims coming in to the Council. This includes working with the Media and Communications team and Internal Audit.

5.0 Main issues

- 5.1 The fast response process timescales set out in the disrepair protocol allow for a total of 20 working days to undertake the end to end process. There are a number of functions that the housing team need to undertake within 15 working days including making contact with the tenant, securing access to the property, undertaking a comprehensive survey, developing a schedule of works, gathering evidence and information from a number of information systems and producing a causation report all of which is then sent to Legal Services for review and follow up

action. At present with a gradual increase in numbers currently circa 75% higher than previously the housing disrepair team are unable to meet the 15 day timeframe without compromising quality. Although the team have been routinely working outside of usual office hours this is not an approach which can be sustained as anything other than short term without appropriate remedy.

- 5.2 The tasks that sit with the housing team require 15 days and put simply cannot be undertaken in less time than this without significantly compromising quality. At present the structure has the capacity to respond effectively to c45cases a month, the current numbers have steadily increased over recent months, with 80 in June, an overall increase of 75%. Alongside the fast track process the housing disrepair team also undertake a number of other functions including tenant liaison, contract management, on-site quality assurance, snagging, sign-off and relationship management with contractors and sub-contractors.
- 5.3 The request is to increase capacity by an additional six FTE posts. The benefits of increasing capacity of the team will enable technical staff to produce quality documentation within prescribed timescales. This will result in a reduction in damages and third party legal costs and increased tenant's confidence in Housing Leeds as a responsible landlord.
- 5.4 The proposed structure results in growth through the creation of six additional permanent posts with a cost of £232,366 per annum. However the new structure is a spend to save investment as it will enable the council to respond more effectively to the volume of cases and carry out preventative activity thereby reducing both the value of the liability and the number of claims being received.

6.0 Corporate Considerations

6.1 Consultation and Engagement

- 6.1.1 The proposals set out in this report are for growth to the current disrepair structure by bringing in additional staff members to deal with the increase volume of activity.
- 6.1.2 The proposal are in line with the councils employment policies and all new appointments would be in line with the councils Recruitment and Selection polices.
- 6.1.3 The Trade unions have been consulted on the recommendations set out in this report, all queries have been responded to. Clarification was provided in relation to the service review and ensuing Managing Staff Reduction (MSR) process which was undertaken within the service in February 2018. It was confirmed that within this ELI requests were supported, alternatives roles were made available and there were no compulsory redundancies. The structure implemented following the service review was based on service demands at that time. As already outlined in this report the service has since experienced an increase in the number of disrepair claims as compared to previous months. In the event that demand decreases there is sufficient work within Property and Contracts to absorb any staff within the Disrepair team. All vacancies will be recruited to in-line with LCC Recruitment and Selection process.

6.2 Equality and Diversity / Cohesion and Integration

6.2.1 An Equality, Diversity, Cohesion and Integration screening of the recommendation has been carried out (Appendix C to this report), this concludes that a full Equality Impact assessment is not required.

6.3 Council policies and the Best Council Plan

6.3.1 The proposals within this report support wider aspirations for Leeds set out in the new Leeds Vision, City Priority Plans, Directorate Priorities and Cross Council Priorities.

7 Resources and value for money

7.1 The proposed structure results in an increased cost of £232,366 to the existing structure. The funding for the additional posts will be through the HRA and the P&C vacancy factor and will not therefore place any additional pressure on the medium term financial strategy.

8 Legal Implications, Access to Information and Call In

8.1 This decision is a significant operational decision and therefore is not subject to call in.

9 Risk Management

9.1 Failure to adequately resource the disrepair function will adversely impact on the quality of documentation produced by the technical staff and overall impede the council's ability to meet its obligations to the timeframes set out in the disrepair pre-action protocol. This will have a negative impact on the Council's reputation and will impact on the costs being paid out in damages and third party solicitors. The inability to embed a prevention focussed approach will result in the council always being reactive and therefore it's unlikely we will see a reduction in the number of disrepair claims.

10 Recommendations

10.1 The Director of Resources and Housing is requested to approve the recommendation to increase capacity in the Housing disrepair team by an additional six FTE posts. This growth in capacity will ensure that Property and Contacts has an appropriate level of resource to deal with all claims within the disrepair protocol timescales and result in a reduction in expenditure pertaining to third party legal fees and damages.