

CLYDEBANK HOUSING ASSOCIATION

To: Management Committee

From: Housing Services Manager

Subject: **Health and Safety Report – Decision required**

Date: 24 April 2020

Purpose of Report

The purpose of the report is to update and inform the Management Committee on our compliance with our legal obligations on employee and tenant/resident safety, to allow consideration of the information and any recommendations and arrive at decisions where required.

Potential impact on tenants and service users/Tenant Consultation requirements

Failure to comply with our legal obligations could result in potential endangerment of employees, tenants and residents.

Value for Money

CHA considers Value for Money in all aspect of its business including: -

- Managing our resources to provide quality services and homes to meet the needs of customers and the local community.
- Delivering the right service at the right time at the right cost.
- Planning for and delivering year on year improvements on our services based on customer priorities.
- Getting the most out of our assets and staff by operating efficiently and effectively.

Risk

Non-compliance with statutory legislation could result in a notifiable event to the Regulator, intervention by the Regulation and/or intervention by the Health & Safety Executive resulting in fines or prosecutions.

Legal/constitutional Implications (Reference to Model Rules)

Relevant legislation, e.g. Building (Scotland) Regulations 2004, Health & Safety at Work etc. Act 1974, Control of Asbestos Regulations 2012, Electrical Equipment (Safety) Regulations 1994, Fire (Scotland) Act 2005, Gas Safety (Installation and Use) Regulations 1998, Lifting Operations & Lifting Equipment Regulations (LOLER) 1998, the Control of Substances Hazardous to Health Regulations 2002, Corporate Homicide Act 2007.

There are no adverse legal implications as a result of this report and/or any decision required.

Relevant CHA Objectives:

- To provide quality, affordable housing that meets the changing needs of our customers and to ensure fair access to housing within our area.
- To provide a first class maintenance service which offers value for money and ensures the comfort and safety of our residents while maintaining high levels of satisfaction.
- To ensure local decision making and community control, we will encourage our tenants and other customers to influence our policy and participate in decisions, which may affect them.
- To ensure that our resources are adequate to deliver our objectives by investing in our people, demonstrating value for money and through robust procurement practices.
- To promote social inclusion by applying principles of equality and diversity to everything we do.

Relevant Scottish Social Housing Charter outcomes:

- Equalities - Social landlords perform all aspects of their housing services so that every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.
- Communication - Social landlords manage their businesses so that tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.
- Participation - Social landlords manage their businesses so that tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.
- Housing quality and maintenance – Social landlords manage their businesses so that tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) when they are allocated; are always clean, tidy and in a good state of repair; and also meet the Energy Efficiency Standard for Social Housing (EESH) by December 2020.
- Repairs, maintenance and improvements – Social landlords manage their businesses so that tenants' homes are well maintained, with repairs and improvements carried out when required, and tenants are given reasonable choices about when work is done.

Relevant SHR Regulatory Standards of Governance and Financial Management

- The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.
- The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these objectives.
- The RSL manages its resources to ensure its financial well-being while maintaining rents at a level that tenants can afford to pay.
- The governing body bases its decision on good quality information and advice and identifies and mitigates risks to the organisation's purpose.
- The RSL conducts its affairs with honesty and integrity.

- The governing body and senior officers have the skills and knowledge they need to be effective.

The Management Committee will require to confirm that the contents of this report and decisions required do not constitute a breach, material or otherwise, of the above Standards and there is no requirement to report a Notifiable Event to the Regulator.

1.0 **General**

Audit of Health & Safety Management Systems – **decision required**

The next audit of our health & safety management systems by EVH/ACS is scheduled to be carried out in January 2021.

We have been approached by Maryhill Housing Association regarding a joint procurement exercise for a more in-depth health & safety audit covering the six main areas of safety in fire, electrical, gas, water management, lifts and asbestos.

There would be six housing associations involved – CHA, Maryhill, Elderpark, Wellhouse, Rural Stirling & Hawthorn. The pricing structure for each association is still to be determined and will take into account stock size and requirements for each topic. CHA will have the option to determine our level of involvement.

Given the Regulator's emphasis on tenant health & safety I would recommend that we include CHA in this procurement process. The current EVH/ACS audits pick random topics to audit and I think we should continue with these but a specific audit of the 6 main topics will give more reassurance of our practices, policies and procedures.

1.1 **Employer Health & Safety Control Manual – Version 3**

An electronic version of the manual can be found on the intranet. A hard copy is also kept in the Board Room.

The manual is divided into the following sections:

- Policy and organisation
- Buildings
- People
- Work carried out by employees
- Work carried out by external contractors
- Sheltered housing
- Appendices

Please contact me directly if you wish clarification on any of the items contained within the manual.

Intranet

There is a dedicated Health & Safety tab on the intranet. Within this location the following folders can be found:-

- Employee Handbook
- Control Manual
- Risk Assessments
- Policies
- Disaster Recovery Plan

- Advice Notes
- Training Notes

Management Committee and staff are encouraged to check this section of the intranet on a regular basis for up to date information / advice on health and safety matters.

Personal Protective Equipment (PPE)

The Covid-19 outbreak has resulted in us having to supply staff with more PPE than usual. At present we have adequate stocks of the following and an ongoing inventory is being prepared to ensure we maintain our stock by re-ordering timeously.

- 3 ply face masks
- Boiler suits
- Latex gloves
- Alcohol hand gel
- Goggles

1.2 Updates

The next updates to the Health & Safety Control Manual (Version 3) are due to be received in July/August 2020.

1.3 Landlord Safety Manual

As per previous training, the Management Committee is aware of its duties outlined within the Landlord Safety manual and have signed relevant sections of the manual to confirm this. An electronic version of this manual can be found on the intranet. A hard copy is also kept in the Board Room.

1.4 Training

This majority of this year's scheduled training, detailed below, is on hold until the Covid-19 lockdown is lifted and training facilitators return to work. However ACS is running some e-training for legionella, asbestos and fire safety awareness and we are arranging for the relevant staff to be booked on these e-courses.

- NEBOSH (General Certificate)
- IOSH Managing Safely
- IOSH Health & Safety for Housing Associations
- Legionella Awareness
- Asbestos Awareness
- Asbestos Awareness Minor Works
- Sharps Awareness
- Lone Working
- Fire safety awareness/manual handling
- Working at Height / Safe use of Ladders

2.0 CHA non-domestic premises (Office, SEC, Centre81 & CHP Station)

The following works/testing/inspections were last carried out in February.

Description	Location	Results
Water temperature testing	Centre81	Satisfactory
Water temperature testing	Social Economy Centre	Satisfactory
Back wash to ENWA unit	CHP Station	Satisfactory

The back wash at the CHP Station has been carried out in March and April, however the water temperature testing has not as our legionella contractors were furloughed. We have now engaged a legionella testing contractor and the inspections will resume in April.

2.1 Accident & Near Miss Register

The Association complies with the duty placed on it by legislation to inform the appropriate authorities of any persons injured whilst carrying out work performed for or on behalf of the Association. In this regard accurate records of all accidents, incidents and “near misses” arising are maintained.

Any such accidents or near misses, whether reportable to the enforcing authority or not, will be notified to the Committee on a monthly basis.

There were no accidents or near misses in March or April 2020.

3.0 Landlord

Public Liability Claims

There are no outstanding claims.

3.1 Risk Management & Compliance

This section of the report covers the 6 main landlord compliance subjects i.e. fire safety, asbestos management, water systems management, electrical safety, gas safety, lift safety. These headings will appear on each monthly report with updates or actions when applicable.

We have adopted the model policies within the Landlord Safety Manual on these subjects, however we are now developing standalone, CHA specific policies.

The following policies are now in place:

Legionella Policy – approved September 2019

Asbestos Management Policy & Procedures – approved December 2019

Gas Safety Policy – approved January 2020 & reviewed March 2020

Similar CHA policies will be drafted for fire safety, electrical safety and lift safety and presented to the Housing Services Sub-Committee for consideration.

3.2 Fire Safety

Fire Risk Assessments at Multi-Storey Flats

The original fire risk assessment was carried out at Lusset View in July 2017.

A number of recommendations contained within that assessment have been programmed into our major repairs programme from 2019-2026 as follows:

- Common fire doors – Commencing in 2020/21 over 3 years
- Flat entrance doors – Commencing in 2020/21 over 3 years
- Installation of smoke alarms in roof space & laundries – Programmed as part of smoke alarm/heat detectors contract in 2019/20
- Landing carpets – Programmed for replacement in 2026
- Raised thresholds at some escape routes – will be incorporated in common fire door renewal contract
- Burn damage to lights in stairwells – individual fittings being replaced as required

The above will remain on the monthly report until each action has been completed.

Leven View

As reported previously a fire risk assessment was carried out by ACS on 25 September 2019. The following table is an update on the recommended control measures and actions.

Page no.	Assessment criteria	Recommended Control Measures	Comments/Actions	Comments / Completion date
Page 12	Can steps be taken to reduce the potential sources of oxygen to a fire?	Close all windows, doors etc. Do not store oxidising materials near heat sources	When the tumble dryers are operating in the laundry room they create a negative air pressure. This air pressure 'sucks' the fire door leading to the lobby open. It is advised to increase the size of the air vents in the drying room to equalise the pressure when the dryers are operating.	Quotes have been obtained for air vents in all 7 blocks and the works will now be instructed with a target completion by the end of March 2020. This work has been postponed as contractor's workforce has been furloughed
Page 14	Any smoke/heat detectors?	Consider installation in high risk areas Ensure back-up power supply checks every 3 months Ensure annual service	Will be fitted in roof spaces and laundries as part of contract to install in all individual flats Procedures will thereafter be updated to include checks	Contract awarded to City Technical Services. Contract will commence on 02/03/20 and last for 12 weeks

				Contract on hold during lockdown period
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Smoke, heat and carbon monoxide alarms systems – total installations due 1019

The first phase was split into two lots awarded as follows:

Lot 1 – Multi-storey flats (391 properties) – City Technical Services

Lot 2 – All other properties (480) – Belac Group

Between 2 March and 23 March these contractors fitted a total of 243 systems. This leaves 628 still to be fitted. Unfortunately the works have had to be put on hold due to the Covid-19 lockdown and will resume when it is safe to do so.

There are a further 148 systems to be installed in properties as part of a rewiring contract. Tenders have been received but we have been unable to award the contract due to the lockdown.

To summarise there are 1,019 systems to be fitted with 243 completed to date i.e. 23.8%.

The legal deadline for fitting these systems in our properties is February 2020, however there are indications that the Scottish Government may extend this deadline. We are still aiming to have installs completed by current deadline.

Scottish Fire & Rescue Service

Scottish Fire & Rescue carry out periodic inspections at the multi-storey flats to check the dry risers, emergency lighting, common fire doors etc. and advise us if there are any deficiencies that require to be rectified.

There were two reports received on 19 February following inspections which took place on 14 February. Details are as follows:

Erskine View – no deficiencies found

Castle View – damaged dry riser inlet door on ground floor. This had already been reported by the caretaker on 11 February and repair was completed on 27 February.

Cyclical Testing & Inspection

The following testing and inspections took place during March 2020:

Graham Avenue – visual inspection of dry risers

There were no adverse findings found.

Evidence of fire safety compliance by scheme/block/unit is stored in this location:

<..\..\..\Maintenance Folder\Landlord Compliance>

3.3 Asbestos Management

All required surveys have now been completed and received with the results incorporated into our Asbestos Register.

As reported previously 4 of our 33 schemes have low risk, good condition asbestos containing materials (ACM's) e.g., external cement window sills and these are being monitored and will be re-inspected on an annual basis.

The cost to date for the additional surveys is £26,457 and this is expected to rise to c£30,000 when all invoices are received.

Following a major repairs contract last year at 37 properties, ACM's were found in the loft of one property and suspected in another, later confirmed. The other 35 properties came back with negative results for ACM's, however we suspected that the external wall insulation works may have been responsible for dislodging asbestos cement in all lofts and we therefore invoked our asbestos management procedures and instructed surveys in all similar type properties, 35 in total.

We have received the survey results which show that ACM's are present in a further 24 properties bringing the total to 26. We have written to all these tenants to advise them of this and return a disclaimer confirming they will not access these lofts. An annual inspection regime has been added to our Asbestos Register.

One of the first lofts to be identified with ACM's was packed with the tenant's belongings and we therefore decided to have the loft cleared of all insulation and ACM's. This was carried out in December 2019 at a cost of £2,724.



We met with [REDACTED], solicitors, on Friday 24 January to ascertain if it would be possible to add a clause to the tenancy agreement preventing tenants from accessing lofts within their homes.

The advice we received was such a clause could not be inserted retrospectively and even putting it in new tenancy agreements would be hard to manage i.e. how could we guarantee tenants were not accessing loft spaces.

We discussed measures that CHA already have in place e.g., asbestos register, regimes for re-inspections and declarations, where necessary, signed by tenants confirming they will not access individual loft spaces. It was agreed that our asbestos policy/procedures/register would be updated to clarify the course of action required when asbestos is discovered e.g., low level risk or high level risk to tenants. TC Young also confirmed that we would be unable to charge owner occupiers/sharing owners for a share of the cost of any asbestos surveys carried out in common areas as this is outwith our remit as factor.

Evidence of asbestos compliance by scheme/block/unit is stored in this location:
<..\..\..\..\Maintenance Folder\Landlord Compliance>

3.4 Water Systems Management

The section deals with the effective inspection, maintenance and management of all water systems within premises controlled by the Association and mainly covers Legionella.

We have a cyclical programme in place which covers the above and have now enhanced procedures in line with our Legionella Policy to include testing and risk assessments in void properties.

Voids

Since 1 November 2019 we have carried out legionella risk assessments in 21 void properties and any recommendations have been completed prior to the properties being re-let.

We currently have 6 voids which we have been unable to re-let as we have been unable to carry out the legionella risk assessments due to our current contractors being furloughed. As reported in the weekly updates to Committee, we have now engaged the services of a water systems contractor and they will be carrying out the risk assessments in these void properties on 29 April.

Domestic Properties

The following testing and inspections were completed during March 2020.

Radnor Park multi-storey flats

- Monthly water temperature testing

No adverse results were reported although the random testing in individual flats has not been carried out since February 2020. Our new contractor has been instructed to carry these out in April/May in properties where tenants are willing to give access.

Evidence of water systems compliance by scheme/block/unit is stored in this location: [..\..\..\Maintenance Folder\Landlord Compliance](#)

3.5 Electrical Safety

There are various inspections required to ensure our landlord compliance both in common areas and individual properties. Details of what we carry out and the frequency required are as follows:

Multi-storey flats

Lightning protection – 12 months

Emergency lighting (3 hour failure simulation) – 6 monthly

Emergency lighting (battery strength test) – 6 monthly

Changeover of emergency lighting from mains to battery - monthly

Laundries – 12 months

Common service areas – 36 months

Domestic tenanted properties

Electrical Installations Condition Report (EICR) – 5-10 years

Void properties & mutual exchanges

EICR – at every change of tenancy

Unvented hot water cylinders (properties with Quantum heating) – 12 months

Portable appliance testing (office, C81, SEC & caretakers offices) – 12 months

Cyclical Testing & Inspection

There were no inspections due for completion in March 2020

Evidence of electrical safety compliance by scheme/block/unit is stored in this location: [..\..\..\Maintenance Folder\Landlord Compliance](#)

3.6 Gas Safety

We currently have a framework agreement in place with City Technical Services for reactive and servicing maintenance of all properties with a gas appliance.

City Technical operate a 24/7 service for breakdowns involving no heating or hot water. They also carry out annual services (within 365 days of previous service). During an annual service to any gas appliances they also check the carbon monoxide, smoke alarms and heat detectors where fitted.

For the period 1 April 2019 to 31 March 2020 all services have been completed within timescale i.e. 556 due and completed.

The new reporting year started on 1 April 2020 and unfortunately we have had one service outwith target as the tenant refused access due to concerns relating to Covid-19. We are following HSE guidance to ensure this service is completed as soon as possible and have a full audit trail of all our attempts to gain access to date.

Evidence of gas safety compliance by scheme/block/unit is stored in this location: [..\..\..\Maintenance Folder\Landlord Compliance](#)

3.7 Lift Safety

We currently have a framework agreement in place with Jackson Lift Group to maintain all our passenger lifts. There are 16 lifts in total, 14 at the multi-storey flats, one at Centre81 and one at the Social Economy Centre.

The contract involves one maintenance/service visit to each lift per month. Each lift is fitted with a telephone line and if a customer presses the emergency button in the event of a breakdown or entrapment the call goes directly to Jackson Lifts who are required to attend within one hour. There is also an “out of hours” service and reactive repair service for any works out-with the contract.

In addition to the above, our insurers arrange for an independent company to inspect all lifts twice a year, in essence to audit the work of our contractor. We receive reports of these audits and any recommended works are passed to our contractor to implement.

Cyclical Testing & Inspection

All monthly maintenance service inspections due in March have been completed and April inspections have been programmed.
In addition our insurers inspections are programmed to be carried out in April and May.

Evidence of lift safety compliance by scheme/block/unit is stored in this location:
<..\..\..\..\Maintenance Folder\Landlord Compliance>