



Regulator of
Social Housing

Regulatory Notice November 2018

Registered Provider

Beyond Housing Limited (Beyond Housing) LH4401, is a large, not-for-profit registered provider. It was formed in October 2018 following the merger of Yorkshire Coast Homes Limited (YCH) and Coast & Country Housing Limited. Beyond Housing owns and manages around 15,000 homes across the north east and North Yorkshire.

Regulatory Finding

The regulator has concluded that YCH breached the Home standard and risked serious detriment to its tenants. YCH no longer exists, following its merger with Coast & Country Housing in October 2018. Beyond Housing has taken the responsibilities of the predecessor organisations and is responsible for addressing the issues in this notice.

The regulator is engaging with Beyond Housing as it seeks to address the issues identified. We will keep this under review, including considering whether any further action should be taken.

The Case

Like all registered providers, YCH had a statutory duty under the Regulatory Reform (Fire Safety) Order 2005 to make a suitable and sufficient assessment of the risks of fire in their homes. Having identified the hazards and people at risk, YCH then had a duty to take precautions to prevent the risk of fire, and to update the risk assessments regularly.

Prior to the merger, YCH made a self-referral to the regulator in relation to fire safety. It told us that a large number of fire risk assessments (FRAs) had passed their review date, and that a small number of properties did not have an FRA in place. The majority of these properties had been overdue for around eight months, but a small number had been overdue for more than a year. The issue affected hundreds of YCH tenants. YCH also told us that it had concerns about the quality of the FRAs carried out and was concerned that all hazards had not been fully identified, and that there was limited evidence available to demonstrate that actions identified had been completed.

YCH told us that this issue was identified during the merger process, when a member of staff from Coast & Country was providing support to YCH's health and safety team. Having identified these issues, YCH self-reported them to the regulator and put in place an urgent plan to deliver actions to mitigate the risk to tenants. It brought in additional resources, including staff with relevant experience, and promptly carried out a programme of initial inspections to ensure there were no excess combustible materials or ignition sources in communal areas, and began to carry out the FRAs prioritised by risk. Following the completion of the merger, it is Beyond Housing's responsibility to complete this work.

The Regulator's Findings

The regulator considered the case as a potential breach of part 1.2 of the Home standard which requires registered providers to meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes. The regulator concluded that YCH had failed to regularly review its FRAs, that it had lacked assurance that the correct risks had been identified, and the relevant actions to manage the identified risks had been completed. For these reasons, the regulator concluded that this was a breach of the Home standard.

YCH reported this matter to the regulator, and although the regulator also noted that YCH had identified the issues itself, this only occurred when a member of staff from YCH's merger partner was moved to provide support to the health and safety team during the merger process. The regulator has

determined that it is proportionate to conclude that the failure to regularly review fire risk assessments and the lack of assurance in relation to fire safety constitutes a breach of the Home standard. Fire is self-evidently important because of the potentially fatal consequences. In this case, the regulator has concluded that the risk of serious harm was demonstrated because a large number of tenants were potentially exposed to an unknown risk of danger from fire. Therefore the risk of serious detriment has existed.

In summary, taking all these matters into account, the regulator has concluded that there has been a breach of the Home standard which had the potential to cause serious detriment to YCH's tenants.

Actions

Section 198A of the Housing and Regeneration Act 2008 (as amended) states that the regulator's regulatory and enforcement powers may be used if a registered provider has failed to meet a consumer standard. In order to use regulatory or enforcement powers, as well as the failure to meet the standard, there should also be reasonable grounds to suspect that the failure has resulted in serious detriment to the provider's tenants (or potential tenants).

Beyond Housing has acknowledged the issues in relation to fire safety and, following the merger, it is now responsible for addressing these issues. The regulator will liaise closely with Beyond Housing as it continues to remedy the issues. In light of this, the regulator will consider what, if any, further regulatory action it will take in relation to this breach of the Home standard. Furthermore, and in line with our usual process, we have taken this into account in reaching a view on Beyond Housing's interim governance grading. We have concluded that a G2 grading is appropriate, which means that the provider meets our governance requirements but that it needs to improve some aspects of its governance arrangements to support continued compliance.