



Regulator of  
Social Housing

## Regulatory Notice October 2019

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### Registered Provider

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Runnymede Borough Council (Runnymede BC) (43UG)

### Regulatory Finding

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The regulator has concluded that:

- a) Runnymede BC has breached the Home standard; and
- b) As a consequence of this breach, there was the potential for serious detriment to Runnymede BC tenants.

The regulator will work with Runnymede BC as it seeks to remedy this breach and will continue to consider what further action should be taken, including whether to exercise any of its powers.

### The Case

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As a local authority, Runnymede BC is required to comply with the consumer standards.

The regulator received information which caused it to investigate Runnymede BC's compliance with the Home Standard. Information collected during engagement with the provider has demonstrated that Runnymede BC has failed to meet statutory health and safety requirements in fire safety and electrical safety.

In respect of fire safety, Runnymede BC has a statutory duty under the Regulatory Reform (Fire Safety) Order 2005, to regularly assess the risk of fire in properties where it has responsibility for maintenance. Having identified the hazards and

people at risk, it is also required to take precautions to prevent the risk of fire. The regulator has learned that Runnymede BC has failed to complete urgent or high priority remedial actions arising from Fire Risk Assessments (FRA) at two of its developments: a 17-storey tower block, and a sheltered housing scheme. The relevant required actions were identified in two successive FRAs dating back to 2018 for the tower block, and 2017 for the sheltered scheme. Runnymede BC has had no reliable means of evidencing, across its homes, the completion of remedial actions arising from FRAs.

Regarding electrical safety, Runnymede BC is required under the Landlord and Tenant Act 1985 to ensure that electrical installations are in working and safe condition both at the start of any tenancy and throughout that tenancy. Runnymede BC has been unable to evidence the completion of Electrical Installation Condition Reports in a timeframe, and with sufficient oversight, to ensure this is the case. Runnymede BC cannot evidence when testing was last carried out for 162 properties, and a further 794 properties have records showing tests completed more than 10 years ago. Runnymede BC's record keeping, monitoring, and evidencing of electrical testing work across its homes has historically been very poor.

In our engagement with Runnymede BC it is evident that inadequate record keeping has extended to the condition of its stock. Runnymede BC cannot evidence what proportion of its homes meets the Decent Homes Standard.

## The Regulator's Findings

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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 occupants in their homes. The regulator has concluded that Runnymede BC did not have an effective system in place to allow it to meet its statutory health and safety responsibilities in fire and electrical safety.

The situation in regard to fire and electrical safety forms part of an overall weak historical picture of compliance, particularly in Runnymede BC's approach to ensuring safety in their stock prior to 2017/18, and in maintaining assurance that all stock complies with the Decent Homes Standard.

The regulator noted that Runnymede BC is putting significant resource into improving practices and systems. It now has arrangements in place to complete the required statutory checks and relevant safety actions, and is making progress. It is carrying out a new stock condition survey which is intended to provide more reliable evidence on compliance with the Decent Homes Standard. However, taking into account the breadth and scale of the failure with particular regard to fire and electrical safety, and the longstanding nature of the issues, the regulator has determined that it is proportionate to find a breach of the Home standard in this case.

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 a serious detriment to the provider's tenants (or potential tenants) or that there is a significant risk that, if no action is taken by the regulator, the failure will result in a serious detriment to the provider's tenants (or potential tenants). Taking into account the seriousness of the issues identified, the duration for which tenants were potentially exposed to risk, and the number of tenants potentially affected, the regulator has concluded that it is proportionate to find that Runnymede BC's breach of the Home standard has caused a risk of serious detriment to tenants.

The regulator will work with Runnymede BC as it seeks to continue to address the issues which have led to this situation, and will consider what, if any, further action to take in relation to the breach of the Home standard.