



Regulator of  
Social Housing

## Regulatory Notice February 2020

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### Registered Provider

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Golding Homes Limited (Golding Homes) (LH4402)

### Regulatory Finding

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The regulator has concluded that:

- a) Golding Homes has breached the Home standard; and
- b) As a consequence of this breach, there has been the potential for serious detriment to Golding Homes' tenants.

The regulator is considering the implications of this conclusion on its view of Golding Homes' governance grading.

### The Case

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Golding Homes made a self-referral to the regulator notifying us of potential non-compliance with health and safety requirements. Golding Homes has a responsibility under the regulator's Home standard to meet all applicable statutory requirements which provide for the health and safety of tenants in their homes. Information collected during engagement with the provider has demonstrated that Golding Homes has failed to meet statutory requirements in relation to fire safety and electrical safety.

A recent internal audit of Golding Homes' health and safety position found that compliance was poor, and it was unable to fully validate the compliance position due to a lack of reliable data. In respect of fire safety, Golding Homes 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 Golding Homes has failed to complete over one hundred high risk actions arising from Fire Risk Assessments (FRA) and that these have been outstanding for a number of months.

Regarding electrical safety, Golding Homes 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. Golding Homes has identified a large number of remedial actions arising from electrical safety checks which had not been completed. The overdue actions were potentially dangerous and should have been completed at the time of the electrical safety check to remove any potential risk. We have assurance that Golding is taking effective action to address these outstanding actions, and is taking a risk-based approach to mitigate any ongoing risks to tenants.

Golding Homes has commissioned external support and is providing additional resource to assist in the delivery of its plans to resolve the outstanding actions, which includes work to address weakness in Golding Homes' data as well as minimising the risk of reoccurrence.

## 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 Golding Homes did not have an effective system in place to allow it to meet its statutory health and safety responsibilities in relation to fire and electrical safety.

The regulator noted that Golding Homes is putting significant resource into improving practices and systems. However, taking into account the findings with regard to fire and electrical safety, the regulator has determined that it is proportionate to find a breach of the Home standard in this case. Fire and electrical safety are self-evidently important because of the potential for serious harm. In this case, the regulator has concluded that the risk of serious harm is demonstrated because of the large number of tenants potentially exposed to danger from fire or faulty electrical installations over a significant period of time. Therefore the risk of serious detriment has existed.

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).

Golding Homes has provided the regulator with assurance that it is working to address these matters as a priority. The regulator will therefore not take further action at this stage, as it has assurance that the breach of the standard is being remedied. The regulator will work with Golding Homes as it continues to address the issues which have led to this situation. We are considering Golding Homes' governance grading in light of this breach of the Home standard.