



Homes &
Communities
Agency

The Social Housing Regulator

HCA REGULATORY NOTICE

Registered Provider

Redditch Borough Council (RBC) (47UD)

Regulatory finding

The regulator has concluded that

- a) RBC has failed to meet the Home standard
- b) As a consequence of this breach there was the potential for serious detriment to Redditch Borough Council's tenants
- c) The regulator continues to consider what further action should be taken, including whether to exercise any of its powers.

The case

RBC owns and manages around 6,000 homes. As a local authority, RBC is required to comply with the consumer standards.

RBC contacted the regulator to inform us that, following a meeting between its legal services team and repairs and maintenance staff, it had identified a significant number of out-of-date gas safety certificates. In some cases the certificates had been expired for a long time.

RBC is taking steps to complete the overdue gas safety inspections. As of 6 November there remain a small number of properties with out-of-date certificates but action is being taken to resolve this.

RBC instigated an internal audit investigation. The audit found that the issue arose due to inadequate contract management, failures in recording and incomplete records and contractor failure. RBC is undertaking a review of arrangements for contractors and methods of reporting.

The regulator's findings

The regulator considered the case as a potential breach of the Home standard, and specifically the regulatory requirement to 'meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes'.

The regulator has received evidence of failure to adhere to the Gas Safety (Installation and Use) Regulations 1998 which state that gas safety checks should be undertaken annually by a gas safe engineer. The necessary inspections were overdue in a large number of cases. This is clear evidence of a breach of the statutory obligation to carry out gas servicing and thus of the Home standard in respect of the requirement to meet all applicable statutory requirements that provide for the health and safety of the occupants in providers' homes. The breach exposed a number of tenants to the potential of serious harm for lengthy periods.

Notwithstanding the actions RBC is now taking, the regulator is of the view that RBC has failed to meet the Home standard.

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 and the regulator thinks that there are 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).

RBC has put in place a programme to rectify the failure and is reporting on progress to the regulator. The regulator will work with RBC as it addresses 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.

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