Newark & Sherwood District Council

Gas Safety Review

August 2023

Our ref: NWS2346

Preface

Pennington Choices provides property surveying and consultancy services to organisations nationwide. We have a wealth of experience working with more than 150 public and private sector organisations across social housing, NHS, education, retail, rail, police, and local authorities over the past 20 years. Our breadth of services makes us unique and provides a cost and time-effective solution to our clients.

Our advisory, professional and out-sourced services are:

- Housing and finance consultancy
- Occupational health and safety
- Recruitment services
- Asbestos – surveying, analysis, and management
- Chartered building and quantity surveying
- Stock condition and asset management
- Fire safety and compliance
- Energy - EPCs and sustainability services
- Gas and electrical – auditing, inspection, and management
- Professional training and qualifications

We develop lasting professional relationships and partnerships with all our clients. We do this by helping them to meet their strategic objectives by adding real value to organisations and projects. Many of our long-term clients are contractors, social housing organisations, local authorities, health and social care organisations, private landlords, homeowners, and education providers.

Contents

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Version Control

Date	Version	Description
23/08/2023	V0.1	First draft
31/08/2023	V0.2	Internal QA
21/09/2023	V1	Final version V1
26/09/2023	V2	Final version V2

1.   Executive summary

1.1.   Newark & Sherwood District Council (NSDC) commissioned this Gas Safety Review to assess and provide assurance on your compliance with applicable legislation and Approved Codes of Practice on gas safety compliance, regulatory standards, as well as sector best practice.

1.2.   In August 2022, you self-referred to the Regulator of Social Housing (RSH) for a potential breach of the Home Standard due to underperformance in your gas servicing programme which resulted in over 1000 homes not having a current statutory gas certificate. You have since undertaken an internal investigation to understand what led to this underperformance, what lessons could be learned and what changes were required to prevent this from reoccurring. Commissioning this review is an example of your commitment to improving your service offering to your residents and keeping them safe in their homes.

1.3.   There are controls in place to meet your legal obligations under the Gas Safety (Installation and Use) Regulations 1998. You have an established gas servicing programme with significantly improved levels of performance since you referred to the RSH. As per your latest performance report (June 2023), you had 36 overdue properties – all of which were captured within your enforcement process. You have also implemented a compliance management system (APEX) which is being well utilised to deliver your gas servicing programme. Furthermore, you are already aware of the shortcomings in your process, such as the manual updating of anniversary dates in the system and have taken action to address them.

1.4.   **People** – Leadership of Gas Safety is good and there is demonstrable technical competence and experience to deliver your legal obligations. Keeping resident's safe is a clear theme and driving priority. There is an evident focus on continuous improvement, alongside delivering compliant services. Your approach could be strengthened by having somebody within the team with a management qualification specific to gas safety.

1.5.   **Governance –** Governance is good and there is documentation in place to support effective operations and demonstrate your commitment to improving your service to residents. Whilst it is positive that your Gas Servicing and Safety Policy is Board approved, it was due for review in January 2023 and is therefore eight months out of date. The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022, a key legislative change that came in to force in October 2022, has not been addressed in your policy.

1.6. **Systems and data management –** Your gas servicing programme data is managed within the newly implemented Apex system and appears well controlled. You also recognise the need for continued development of the system to ensure the entirety of your programme data and resulting certifications are managed electronically. The introduction of the API to allow the electronic processing of completed service data from your contractor's system to APEX is a good example of this.

1.7. **Reporting** – Your approach to reporting could be strengthened and requires review in the context of the Tenant Satisfaction Measures (TSMs), introduced in April 2023. The structure of your reports to leaders can be enhanced by including a single page numerical breakdown of current performance across key compliance areas, month-by-month performance benchmarking, and supporting narrative to address any non-compliance and detail the action being taken. Consider the recommendations in the action plan (Appendix 1) and our example scorecard (Appendix 2). You are currently developing the dashboard reporting functionality within Apex which will provide these improvements based on the brief demonstration we were given.

1.8. **Legal duties –** There are controls in place to ensure the legal duties and obligations are achieved for Gas Safety. There are also several examples of good practice, where the teams are going above and beyond to put residents first and ensure safety within their homes, for example, your Tenant Engagement Board.

1.9. Our overall assurance rating is **limited assurance** which represents our assessment of cross cutting themes, such as data, governance, and reporting, as well as outturn performance (see Appendix 5 for full assurance rating criteria).
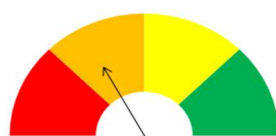
Limited Assurance

1.10. The overall approach of NSDC is good and many of the recommendations in this report are intended to move you towards a best practice approach. The decision to conclude limited assurance is driven primarily by the findings of the sample record audit (section 3.11) which raises concerns around the accuracy of your data in Apex and resulting compliance programmes. It also reflects that currently there are 3 priority one (high) recommendations that require addressing.

1.11.   We have made 24 recommendations to further improve your approach (see Appendix 1 – Compliance Roadmap) and support substantial assurance upon within six months.

- 2 x priority one – complete within three months
- 15 x priority two – complete within six months
- 7 x priority three – complete within 12 months

2.   Introduction

2.1.   NSDC appointed Pennington Choices to carry out an assessment of your compliance arrangements across gas safety. Our scope included all properties owned and/or managed by NSDC. The objectives of the review were as follows:

- Evaluate your existing approach to the management of gas safety against your legal obligations and best practice.
- Provide assurance on your current approach and compliance position.
- Identify any areas of good practice.
- Identify any areas that you must address if you are not complying with legislative or regulatory requirements, and/or areas that we recommend you strengthen in order to meet best practice.
- Provide clear recommendations and actions which set out how you can or should address any issues we identify.

2.2.   Our approach included consideration of:

- Roles and responsibilities.
- Understanding of compliance obligations by key staff.
- Competencies of staff and contractors.
- Policies, processes, and procedures.
- Programme management.
- Approach to follow-up works.
- Procurement and contract management.
- Arrangements for properties managed by others.
- Data management and validation.
- Record keeping.
- Reporting.
- Auditing.
- Resident communications.

2.3.   We have assessed NSDC's compliance with legislation, regulation, Approved Codes of Practice and considered whether your governance arrangements provide appropriate levels of assurance for meeting these obligations.

2.4.   The views and assumptions reached in this report reflect the documents, reports, and data we have reviewed. Our assumptions reflect what employees told us about the current arrangements for managing compliance during the discussions that took place on 17 August 2023. We wish to acknowledge that the employees involved were fully engaged and open in their participation with the process and demonstrated a desire to continue to implement improvements in managing gas safety.

2.5.   We recommend the findings and recommendations within this report are shared with the Executive Team, Board, and relevant scrutiny panel/ committee so members understand the current position and provide support for any further action required.

2.6.   Section 3 of this report outlines our summary of strategic and operational findings. We provide all recommendations made throughout this report in a Compliance Roadmap in Appendix 1.

3.   Findings

3.1.   Governance and strategic oversight

3.1.1.   Governance for compliance within the Housing Revenue Account (HRA) is strong and there is a good understanding of roles and responsibilities. There is an appreciation of the importance of achieving an assurance culture which is based on clear information, data, and documented evidence that support claims that effective controls are in place.

3.1.2.   Gas Safety is managed and delivered under the remit of the Business Manager – Housing Maintenance and Asset Management who reports into the Director of Housing Health and Wellbeing. Gas Safety Compliance is operationally managed by the Compliance and Safety Manager. Your governance structure is suitable for ensuring compliance reporting is escalated through the management chain.

3.1.3.   Your provided various documentation to demonstrate your proactive approach to governance at a Senior Leadership level and above, including:

- **Gas Safety Compliance – Lessons Learnt –** a report outlining the factors that contributed to a self-referral to the Regulator of Social Housing for a potential breach of the Home Standard for failures in the Council's HRA Gas Servicing Programme. It also

sets out the actions taken so far and further actions recommended to return performance to its previous levels and prevent another occurrence.

- **Strategic Approach to Social Housing Asset Management –** provides an overview of Newark & Sherwood Council's existing approach to managing the housing related assets held in the Housing Revenue Account (HRA). It covers a range of activities that ensure the housing stock meets the needs of customers and standards required. Property compliance, including gas safety, is covered in this document.

- **Improving the customer experience of gas servicing – a** report which provides the outcomes of the gas servicing programme review. It considers the customer experience from start to finish and identifies areas of strength and recommendations for areas of improvement.

3.2. Data and records

3.2.1. Robust data forms a key foundation for compliance with legal and regulatory obligations and being able to evidence how you are keeping residents safe. If the data underpinning compliance programmes is inaccurate, it undermines their effective delivery. It is imperative to control, monitor and reconcile your data periodically to ensure it is consistently accurate and any issues are flagged as early as possible. This should be driven by a housing / asset management system that supports good data management and automation.

3.2.2. Capita is your core system which is being used to manage your assets and the gas servicing programme is then managed through Apex. All property data held in Apex is driven from Capita to reduce the risk of the two systems falling out of alignment.

3.2.3. As per your latest report (June 2023), you were reporting the following:

Assets	
Total no. of individual dwellings / properties being managed	5541
Total no. of "blocks" being managed	341
Total no. of non-residential units (i.e., commercial properties including offices, retail units, storage facilities etc.)	4

Heating Appliance Servicing					Compliance	
Heating Systems	Annual Target	Target for Month	Total for Month	Out of Compliance	Annual	Month
Valid Gas Annual Safety Inspection	5199	594	558	36	99.31%	93.55%
Solid Fuel	20	0	0	0	100.00%	100.00%
Oil Servicing	205	31	23	8	96.10%	74.19%
LPG Gas Servicing	3	0	0	0	100.00%	100.00%
Commercial Boilers	4	0	0	0	100.00%	100.00%
Heat Pumps	89	9	9	0	100.00%	100.00%
Electric	18	0	0	0	100.00%	100.00%

3.2.4.   You are running three Excel documents in conjunction with your Apex programme: '*Compliance Tracker,*' '*Gas Servicing Change Control,*' '*Gas Servicing – Legal Packs.*' These are being used as an interim measure to provide assurance on the accuracy of your programmes whilst the servicing data was being migrated to Apex. There is an inherent risk of inaccuracy through managing compliance programme information in spreadsheets. However, you are already aware of the risks and plan to stop using the documents once you are confident that all required information has been accurately transferred to Apex. To eliminate running two systems in tandem, we recommend you set a target date for archiving the Excel trackers and running your Heating Appliance Servicing programmes entirely through Apex. (**Recommendation 1 – Archiving the Excel trackers – P2**)

3.2.5.   A fundamental component of assurance is being able to demonstrate that your servicing programmes are accurate, all properties requiring a service visit are included, with supporting evidence for the excluded properties. Data validation is currently a manual task involving VLOOKUPs between two system extracts. To test the accuracy of your validation processes, we recommend you undertake a 5 per cent sample audit of the properties (domestic & blocks) not on your gas servicing programme to test what evidence and level of assurance you have for excluding them. If the sample audit identifies any anomalies, we recommend undertaking a data validation exercise across gas safety. This would include establishing a formalised approach to data validation and reconciling data every month, to

provide assurance across all property assets, inspection records and other compliance data. **(Recommendation 2 – Sample Programme Audit- P2)**

3.2.6.   The process for updating Apex with the most recent servicing data is currently manual and accuracy is dependent on the diligence of the person inputting the data. Positively, you have already recognised this as a potential risk and are in the process of implementing an API which will allow information to be automatically added from the contractor's system to Apex following the completion of a service. This API is due to go live on the 11/09/2023.

3.2.7.   Reducing manual entry and seeking out opportunities for automation is a best practice approach. Once the API is up and running, you intend to sample check the quality of the records going into the system. However, this process is still to be formalised.

3.2.8.   Capita has a flagging system which can be used to alert users of the system (Customer Service or Repairs Team) of an outstanding gas service when speaking to customers about any other works which will require a property visit. However, this process is not currently formalised or documented. We recommend you document a formal flagging process which outlines the criteria for when a property should be flagged, who is responsible for doing so, and what action must be taken by the Repairs Team/Customer Service Team or the wider business if they come across a flag in Capita. (**Recommendation 3 – Capita flagging process – P3**)

3.3.   Gas Servicing Programme & Other Heating Types

3.3.1.   Your gas servicing programme is delivered by an external contractor, Phoenix Gas Services (Phoenix), on a 3-star contractual agreement. The programme is held in Apex but driven by the contractor in their Plentific system. The number of properties included on programme is driven by the building attribute data held in Capita and collected by your ongoing programme of stock condition surveys.

3.3.2.   You have utilised the 'MOT style' approach to your gas servicing which means you can undertake a gas service within two-months of the date of expiry and still maintain the anniversary date. As a result, your contractor contacts each resident once the LGSR at their property is within 90-days of expiry to arrange a servicing appointment. They will make three access attempts, leaving a no access card and taking photographic evidence each time, before the property is referred to NSDC for further investigation.

3.3.3.   Currently, there is no formal agreement with Phoenix on the timescales for when a property is referred over. This creates a risk that you are working to different timescales each time a property enters your internal escalation process. We recommend you agree a set number of days to expiry for when the contractor must hand back a property, so that

you always have certainty on the timescales you are working to for gaining access to the property before the LGSR expires – this should be approximately 30 days. **(Recommendation 4 – Properties handed back by the servicing contractor – P2)**

3.3.4.   Following a no access referral from the contractor, you informed us that you will make further attempts to access the property. This includes making direct attempts to contact the resident and engaging with your Housing Officers for support/more information. Whilst this is a good practice, it has not been formally documented and reliant on the knowledge of the staff currently in post. Not formally documenting your approach creates the risk of key knowledge being lost if staff members leave. There is also the risk that employees will deviate from and miss key steps of the process. We recommend you formally document your internal escalation/investigation process for no access properties within the process map and procedure documents recommended in section 3.5. **(Recommendation 5 – Internal escalation/investigation for no access properties – P2)**.

3.3.5.   The programme is driven by Phoenix who are the owners of the data and determine when the next service will take place. However, you have controls in place to ensure the programme remains accurate. The information Phoenix records into Plentific following a gas service is also reflected in Apex and there will be even greater synchronicity between the two systems once the API goes live. In addition, you have an automatically generated monthly report which notifies the contractor of the properties to be serviced in the next 30-days as per the information held in Apex. This allows Phoenix to ensure that every property is captured in their upcoming programme.

Capping Properties

3.3.6.   Your approach to capping properties is determined by the information held on your residents in Capita and will consider any known vulnerabilities to guide your decision-making process. You also have a policy of fitting restrictors/interrupters on new boiler installations which are activated by default.

3.3.7.   Section 3.8 of your Gas Servicing and Safety Policy states that you will isolate a gas supply at the meter if there is no credit available to allow the completion of a gas service. The policy also states that you will support the resident of the property to remedy the debt on the meter in a timely manner where there is a known or potential vulnerability which may be exacerbated by no gas supply. However, this has not been documented in the procedure.

3.3.8.   For properties where the gas is capped you currently review these monthly, this is done by the Business Manager who will raise any concerning cases within the monthly meeting with the Director of Housing Health & Wellbeing. These meetings are designed to ensure

any cases that fall outside a standard process, or where you have concerns can be discussed and progressed. However, properties where the tenant has requested their supply is capped are only visited again the following year to ensure the cap is still in place.

3.3.9.   Capping the supplies of tenanted properties is no longer considered good practice and should you choose to continue with this approach, we recommend you review your criteria for doing so at a senior level. You should outline the circumstances in which a supply will be capped, ensure the approach is approved by Board, and then clearly document it in your policy and procedure. This will ensure there is clarity on when a property should be capped, any investigations/due diligence required beforehand and the approval process. (**Recommendation 6 – Capping properties – P2**)

Mutual exchanges & voids

3.3.10.   Void properties are managed by a gas engineer working directly for the Council who will cap a property's supply whenever it becomes vacant. When the property is relet, a Council Tenancy Officer will contact your gas contractor who will complete a turn on and test (TOAT) which will override the LGSR anniversary date.

3.3.11.   Mutual exchanges are managed via the same principles as void properties including capping the supply and undertaking a TOAT. When a mutual exchange is agreed, an email alert is sent to the Gas & Water Hygiene Compliance Officer. However, this is manual process and creates a small risk that an exchange could take place without the knowledge of the Compliance Team. We recommend implementing an automated weekly/monthly report which shows any changes of tenancy (inc. voids & mutual exchanges) and is sent to the Compliance Team for review. This is already in place for your void properties. (**Recommendation 7 – Automated report on mutual exchanges – P3**)

3.4.   Reporting

3.4.1.   The following documentation was submitted as evidence of your approach to reporting gas safety:

- *Housing Services Compliance Performance Report – April 2023*
- *Housing Services Compliance Performance Report – May 2023*
- *Compliance Performance Briefing Note – Q3 2022/23 – reported to Tenant Engagement Board*
- *Housing, Health & Wellbeing -Compliance Assurance Report - Quarter 1 2023-24 – reported to Senior Leadership Team*

3.4.2.   You appreciate the importance of effective reporting. The tabular approach to reporting compliance and the use of red, amber, green (RAG) performance indicators is consistently applied to present the information in a way which allows the reader to readily understand performance. Whilst the reporting currently being produced is sufficient, we have best practice recommendations which could be implemented to improve it. Although the scope of this audit is specific to Gas Safety, reporting at a leadership level should include a summary across your most significant compliance workstreams. Our recommendations can be applied to all areas:

- **RAG ratings** – a 10% allowance for amber rated properties is a wide parameter. Based on your '644 report' you have 4715 properties on your 'GASDOM' contract and a non-compliance rate of 10% would therefore represent 472 at risk properties and be a significant cause for concern. We therefore recommend you update your RAG rating as follows: 100% - Green, 98-99.9% - Amber, 0-97.99% - Red. (**Recommendation 8 – RAG Ratings – P3**)

- **Supporting narrative** – whilst it is positive that narrative is provided to explain events of non-compliance, the level of detail is not consistent. The June 2023 Compliance Report, which is appended to the Housing, Health & Wellbeing – Compliance Assurance Report is an example of this where there is non-compliance being reported across gas and electric but with varying degrees of detail in the explanations. We recommend all instances of non-compliance are addressed with narrative and the following structure is used to provide the explanation:

    -    Explanation of your current position.
    -    Corrective action required.
    -    Anticipated impact of corrective action.

  (**Recommendation 9 – Supporting narrative in reports – P2**)

- **Structure –** the presentation of the numerical data could be improved to ensure that key information is being presented to the reader in the most succinct format. We advocate for a single page view of performance across the 'big six' areas of compliance which details your position for the current reporting month/quarter. This can then be supplemented with a trend analysis table to demonstrate performance over a 12-month period. We have included an example in Appendix 3 of this report to demonstrate how this could be achieved. However, it is likely that the dashboard functionality that you are currently implementing in Apex will be better at providing a summarised and up to date view of performance, which can then be included in your reports. (**Recommendation 10 – Data reporting structure – P3**)

3.4.3.   In addition, you must also consider how you are going to meet the reporting requirements of the Tenant Satisfaction Measures (TSMs) which came into force 01 April 2023. The TSMs were introduced to assess the quality of housing and services that social housing landlords are providing to their tenants. There are 22 measures in total covering complaints, neighbourhoods, anti-social behaviour, repairs, and safety. Within the scope of this audit are the 'Maintaining Building Safety' measures which cover gas, fire, asbestos, water hygiene and lift safety. The new requirements focus on reporting your total number of dwellings with a non-compliant record for each compliance area, which is presented as an overall percentage to highlight the total risk. Now the TSMs are in force, landlords must start collecting the relevant data ready to make the first submission in the first half of 2024. We recommend you undertake a review of your reporting approach to confirm you are able to comply with the requirements of the TSMs. A key consideration is to ensure your data structure readily allows you to identify the dwellings which sit within each of your communal blocks, including any properties being managed by a third party. The example reporting structure provided in Appendix 3 meets the requirements of the TSMs and can be used to guide your approach. (**Recommendation 11 – Tenant satisfaction measures – P2**)

3.4.4.   Currently your reporting covers an annual year to date % of compliant properties, and you are able, from the raw data, to calculate the % of noncompliant properties.

3.4.5.   Some of your reports are being produced and issued to various audiences/committees without a specific goal or purpose and this is resulting in administrative works which are unnecessary. As a best practice approach, we would expect the see the following structure:

- Operational level reporting – weekly/monthly.
- Senior Leadership Team & Executive Leadership Teams – monthly.
- Board/Audit & Risk Committee/Cabinet – quarterly.

3.4.6.   The volume of reporting produced should always be weighed against the purpose and difficulty in doing so. If reporting can be produced and sent automatically then it may make more sense to increase the frequency to certain audiences. However, you should always ensure the audience is appropriate and there is a tangible benefit to them receiving the report. Based on the concerns raised, we recommend your reporting structure is reviewed to ensure the audience and frequencies are appropriate. We have included an example KPI control document in Appendix 4 which might assist with this process. (**Recommendation 12 – Reporting structure & frequencies – P2**)

3.5. Policies, process, and procedures

Policies

3.5.1.   Policies should be set in the context of your strategic objectives and balance cost and risk; set out your roles and responsibilities as a landlord and building owner and the requirements placed upon you by relevant legislation; any actions you will take above the legal minimum, setting out your statement of intent; programme details; data and record keeping; how you will ensure your programmes are delivered to a high quality and by competent people; and how you will gain assurance.

3.5.2.   Documents of this nature should be developed at a senior level allowing strategic decisions, as permitted by the regulations, to be made, and with input as required from your technical specialists. Policies should be reviewed periodically, at least every two years or following any legal / regulatory changes. They should also be reviewed if the internal strategic direction has changed, or operational decisions are taken that change your existing delivery.

3.5.3.   You submitted a Gas Servicing and Safety Policy for review which was dated January 2020 and due for review January 2023. It covers the following key areas:

- Policy purpose
- Responsibilities
- Overall aims
- Relevant Legislation and Guidelines
- Implementation
- Competency
- Quality & Performance Monitoring
- Policy Review
- Equality & Diversity
- Privacy Statement

3.5.4.   To further strengthen your policy document, we recommend you include sections on the following:

- **Data & records** – how each will be managed and what tools/systems will be utilised.
- **Competent persons** – your definitions of what qualifications and accreditations mean a person/contractor is sufficiently competent to deliver the requirements of their role, both internally and external.

- **Performance reporting** – redraft your information on reporting in the context of the Tenant Satisfaction Measures (TSMs), including who performance will be reported to, how, and at what frequencies.
- **Significant non-compliance and escalation** – including this as its own section in the policy outlines your definition of non-compliance and how it will be escalated through your management structure.
- **Resident Engagement** – outlining how you will support residents in their understanding of gas and heating safety e.g., a resident engagement strategy, communication programmes, information on your website.
- **Dangerous Substances and Explosive Atmosphere Regulations (DSEAR) 2002 –** include reference to the legislation and that you will consider the safety of your workspaces and plant/boiler rooms of your residential blocks that fall within scope of the legislation.

(Recommendation 13 – Best practice policy updates – P2)

3.5.5. Whilst it is positive that the policy is Board approved, it is eight months out of date and requires review. As a result of the overdue review, we identified a key omission in the policy which reflects of how the landscape has changed since your policy was approved. The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022 are not mentioned in the policy document and came into effect from 1 October 2022. Given that you test hard-wired and battery-operated smoke detectors as part of the annual gas service, these regulations should be covered. We recommend your policy is reviewed every two years as a minimum requirement and in accordance with best practice. (**Recommendation 14 – Policy Review – P1**)

3.5.6. A draft '*Safety in the Home Policy – for Tenants and Leaseholders*' document was provided. The stated aim of the policy is '*to provide assurance of the arrangements in place to ensure tenants live in a home that is warm, safe and fit for use.*' Whilst we did not review the document in detail, given much of its content is outside the scope of this gas safety review, it positively includes clear information on the purpose of the gas safety check and the responsibilities of both the Council and your residents.

Process maps

3.5.7. Two versions of the 'Gas Servicing Procedure' were provided which included process maps detailing the delivery of your gas servicing regimes. Whilst the process elements are detailed, the presentation could be improved to better demonstrate who is responsible for each step, any decisions which must be made, and the timescales to which they must work.

3.5.8. In an organisation of your size there is always a risk that your processes are well understood by those delivering them, but their success is dependent on the knowledge of those currently in post. This means the same processes would be far less effective should another employee be tasked with delivering them, as they would not have access to the same knowledge. Through effectively documenting your current processes, you can ensure roles and responsibilities throughout each stage of delivery are clearly allocated and understood. In turn, this will improve resilience as others within the team will be able to provide support where required and use the process maps as a high-level 'how-to' guide.

3.5.9. We recommend any new process maps should follow the 'swim-lane' diagram format; as well as allowing roles and responsibilities to be allocated to specific job roles. Also allow timescales to be assigned for achieving key process milestones, and the identification of interdependencies between roles and departments. (**Recommendation 15 – Process map redrafting – P2**)

Procedures

3.5.10. Following the redrafting of your gas safety process map, your gas safety procedure should then detail what you will do the achieve the commitments made in your policy and provide the supporting narrative on your approach to operational delivery as outlined in the process maps. Key elements to cover include record management, programme delivery, no access procedures, programme management and performance, quality assurance and escalation. (**Recommendation 16 – Procedure redrafting – P2**).

3.5.11. The final element is to ensure that all staff are trained on the policy document and understand the process maps and procedures that affect their role. A formalised roll out of the documents should be undertaken to ensure staff understand and are aware of the obligations, roles, and responsibilities placed upon them. **(Recommendation 17 - Policy, Process, and Procedure Implementation – P2).**

3.6. Structure and operational delivery

3.6.1. Your informed us that your current structure works well for the effective delivery of gas safety, and we did not identify any causes for concern. Your Compliance Team sits under the Housing Maintenance and Asset Management function and is operationally managed by the Compliance and Safety Manager, who is then supported by the Gas Safety and Water Hygiene Officer. Administrative support is provided by one full-time, one part-time and one temporary Data Co-ordinator. In addition, you have an in-house Fire & Asbestos Surveyor and an Electrical Surveyor.

3.6.2. We note that you are currently considering appointing a Compliance Improvement Manager, and this role is currently having the job description drafted. Whilst we do not see

any issues with your current structure, you should consider the resource levels required to deliver the recommendations contained within this report. It may be that additional resources are required on a fixed term basis to deliver the road map and recommendations. **(Recommendation 18 – Compliance Team Resource – P3)**

3.7. Training and competence

3.7.1. Positively, staff have the technical competence and experience to deliver Gas Safety compliance. Throughout the interview process, it was evident that those in post were knowledgeable on their legal obligations and there was a willingness to embrace and implement new guidance and sector best practices. To demonstrate this competence, Curriculum Vitae were provided for the:

- Compliance and Safety Manager
- Gas Safety and Water Hygiene Officer
- Gas and Decarbonisation Officer

3.7.2. Whilst there is demonstrable experience within the team to allow the effectively delivery of gas and heating safety, we recommend this is bolstered by a compliance specific management qualification. Although an accreditation is just one element of a person's competence it is nonetheless an important one. Accreditations demonstrate good knowledge of property compliance and the required competence to deliver gas safety. This is a best practice approach and is particularly important considering the Social Housing (Regulation) Act 2023 will revise consumer standards and set mandatory qualification requirements for senior housing managers and executives. Appropriate qualifications include the Level 4 VRQ in Gas Safety Management in Social Housing and the Level 4 VRQ Diploma in Asset and Building Management Compliance for a more generalised property compliance approach. It is your intention for the Gas Safety and Water Hygiene Officer to undertake one of these qualifications. **(Recommendation 19 – Gas Safety Specific Qualifications – P2)**

3.8. Procurement and contract management

3.8.1. Your gas servicing programme is delivered by an external consultant, Phoenix Gas Services. It is our understanding that this agreement was electronically procured via the Council's standard process. This is the same with your agreement with Arun Services, who deliver servicing to your ground and air source heat pumps.

3.8.2. Competencies of the contractor were checked at procurement stage and confirmed to be sufficient. In addition, you utilise a 'permit to work system' which holds the qualifications, insurances, method statements and risk assessments of each contractor.

3.8.3. Although insurances are checked annually, you do not have a formalised review process of checking competencies to confirm your contractors remain sufficiently competent to undertake the works for which they have been commissioned. We recommend that all contractor competencies are checked at least annually, and evidence is stored by NSDC to confirm what competencies each contractor holds, the dates of expiry (if applicable), the date on which they were last checked, and by whom. (**Recommendation 20 – Contractor Competencies – P2**)

3.9. Resident communications

3.9.1. As an example of your approach to resident communications, you provided several documents including:

- *Signs of common Gas appliance problems.*
- *Improving the customer experience of gas servicing programme.*
- *Tenant Engagement Board Minutes.*
- *Tenant Board – Improving the customer experience of gas servicing.*

3.9.2. The documents provided demonstrate the importance you place as an organisation on ensuring a positive experience for your residents and ensuring they are safe within their homes. In addition, the Tenant Safety Meeting, headed by the Compliance and Safety Manager is an example of good practice, as is the Tenant Annual Report.

3.9.3. In addition, we recommend that you implement an ongoing programme of resident communication to ensure they are kept up to date with relevant gas safety information. This will ensure you are helping residents to understand what they need to do to help keep their homes and themselves safe, and that they can raise concerns about safety. We therefore recommend that you develop a compliance specific resident engagement and communication plan. This plan should include what information is to be conveyed, at what intervals, and via what mediums. **(Recommendation 21 - resident engagement – P2**).

3.9.4. Your website does not include any information on gas safety for residents. General awareness raising and communication around property safety is important as residents are often best placed to mitigate risks themselves. Effective communication can also help residents to feel involved and take steps to be safe in their own homes. Your website has an 'information for Council tenants' section which we recommend is used to document the information. You should then ensure these pages are kept up-to-date and reflect any regulatory or legal changes. (**Recommendation 22 – NSDC website – P3**)

3.10. Quality assurance

3.10.1. **Internal audits** - You have an internal audit programme delivered by Assurance Lincolnshire which covers gas safety. Your most recent Landlord Compliance internal audit report was published in June 2022 and covered annual gas safety checks, electrical testing, and fire safety. The audit concluded a rating of 'limited assurance' and made four high and five medium priority actions. The audit document provided highlights compliance with the legal obligations and controls across gas servicing, as we expect to see reported as a minimum requirement for an audit.

3.10.2. **External audits** - You have a third party monthly technical auditing regime delivered by Morgan and Lambert on a 10% sample basis of completed works – this is a best practice approach. Third party auditing by a competent and accredited contractor provides impartial assurance for the quality of work undertaken and an additional line of defence for the gas safety programme.

3.10.3. Whilst the 10% sample undertaken by Morgan and Lambert is a positive approach and aligned with what we would recommend, it does not provide assurance that all of the gas servicing data going into Apex is correct. To address this, we recommend you implement an internal 100 per cent desktop audits of all LGSRs/certificates provided by your contractor – this is commonly referred to as the '9-point check'. (**Recommendation 23 – 100% Internal Desktop Record Audit – P2**)

3.11. Sample Record Audit

3.11.1. As part of our review, we requested random sample of LGSRs from your gas servicing programme – these were selected using the '644 report' from Apex. The purpose of this exercise was to test whether the anniversary dates held in Apex, which ultimately drive your gas servicing programme, are an accurate representation of the records you actually hold. A full breakdown of the results can be found in Appendix 2 and summarised as follows:

New & Sherwood District Council (August 2023)				
Compliance Area	No. of records requested	No. of records provided	No. of accurate records	No. of inaccurate records
Gas	250	250	194 (77.6%)	56 (22.4%)

3.11.2. The audit identified 56 records were the LGSR dates in column N of the '644 report' did not match the record provided. In 21 instances the variance between the two dates was one day but in the remaining 35 it was greater. The average variance was 16 days, and the greatest was 477. Given the error rate, all inaccurate records should be investigated as a matter of priority and any confirmed errors corrected in Apex and communicated to your servicing contractor. If the errors are found to be genuine and 22.4% of your records were inaccurate, we would recommend extending the record audit to cover 100% of your records. (**Recommendation 24 – Sample record audit – P1**)

Mission, vision, and values

Our company brand is an integral part of how and why we do what we do. It is important to us that our people are onboard and share our sense of purpose for the organisation which are captured in our:

Our Mission
To be you Trusted Expert

Our Vision
To be the UK's leading property consultants and surveyors, delivering ethical and sustainable solutions

Our Values
We deliver | We have fun
Integrity | Resilient
Collaborative | Brave