



## **CORPORATE HEALTH AND SAFETY COMMITTEE - 19TH FEBRUARY 2018**

**SUBJECT: STATUTORY MAINTENANCE OF COUNCIL BUILDINGS (EXCLUDING HOUSING)**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES**

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### **1. PURPOSE OF REPORT**

- 1.1 The purpose of the report is to present current statutory maintenance compliance data for the four highest risk elements, namely electricity, gas, legionella and fire, to Corporate Health and Safety Committee and to highlight progress made and areas of concern. The report encompasses operational building and the sites they occupy but excludes street lighting and housing. An update on the status of the building we lease out is also included.

### **2. SUMMARY**

- 2.1 The report presents the current status of the statutory maintenance of the statutory maintenance of the Council's built assets. It also outlines significant improvements to processes implemented in 2017 and highlights some areas of concern.

### **3. LINKS TO STRATEGY**

- 3.1 The report links to the Authority's statutory duties in relation to complying with health and safety law and also links to the Authority's statutory duties in relation to buildings and links to the Council's Asset Management Strategy.

### **4. THE REPORT**

#### **4.1 General Update**

Following the electrical safety issue experienced at Bargoed RFC in 2017 and subsequent involvement of the HSE much effort has been made to strengthen procedures and processes to help ensure the safety of those who use and maintain our buildings. Key actions and developments include:

- Statutory Testing meetings are chaired by Interim Director of Corporate Services.
- The situation within our leased out properties has been discussed in separate meetings.
- An Electrical Safety Policy has been produced and copied to the HSE.
- Property Services (PS) statutory maintenance team has been strengthened by the addition of an Electrical Inspector.
- A external consultant electrical engineer has been appointed to assist with quality control.
- External flood lighting has been identified and tested.
- A legionella 'responsible person' now in place within the PS team.

- A full schedule of buildings that are currently being tested via PS was circulated to all heads of service to ensure all assets are captured.
- It has been agreed that Priority 1 & 2 remedial tasks highlighted during testing should be closed out within 90 days of testing. General move towards zero tolerance for overdue remedial tasks with priority given to the high risk electricity, gas, fire and legionella elements.
- A responsibility matrix setting out who is responsible for actioning testing and remedials has been produced, disseminated, agreed and implemented from September 2017. Property Services is now progressing most outstanding remedial tasks without further instruction.
- Training for building managers proposed and building manager's handbook is being compiled. A Building Manager checklist is being produced.

#### 4.2 Operational Buildings - Testing

The table below summarises the current compliance for the four highest risk elements.

Table 1 – Testing Compliance at January 2018

Discipline	Sites With Current Certification	Sites Without Current Certification	% Compliance	In
Gas	278	0	100%	
Periodic Electrical	416	4 <sup>1</sup>	99%	
Legionella Risk Assessment	411	3 <sup>2</sup>	99%	
Fire Risk Assessment	374	0	100%	

<sup>1</sup> Electrical: delayed pending approval to shut down systems now. Now in hand.

<sup>2</sup> Legionella: 2 sites recently added to the contract. Testing in hand. Third site is leased in and landlord will be asked to submit certification.

#### 4.3 Operational Buildings – Remedial Tasks Highlighted by Testing

The decision to empower PS to progress Priority 1 & 2 gas, electrical and legionella tasks in schools and gas, electrical, legionella and fire tasks in other operational buildings without further instruction will lead to a significant improvement in the safety of the Council's buildings. The table below shows the current status and situation in September 2017.

Table 2 - Overdue Remedial Tasks at January 18 (Sept 17)

Discipline	Operational Buildings	Schools	Total
Gas	<b>31</b> (49)	<b>97</b> (102)	<b>128</b> (151)
Periodic Electrical	<b>4</b> (130)	<b>3</b> (1,185)	<b>7</b> (1,315)
Legionella Risk Assessment	<b>29</b> (45)	<b>144</b> (151)	<b>173</b> (196)
Fire Risk Assessment	<b>127</b> (298)	<b>325</b> (481)	<b>452</b> (779)

4.4 A marked improvement is already evident for electrical remedials. Contracts have been placed to progress many of the gas and legionella remedials and work will start soon to clear these. PS is pushing to clear the Fire Risk Assessment (FRA) remedials in operational buildings and officers from education and health and safety are working with relevant head teachers to improve the picture in schools. There is evidence that some FRA tasks have already been actioned but not closed down on Ramis. This will be rectified.

4.5 An escalation process is being developed to ensure that the Acting Head of HR and OD and the Acting Head of Service – Education, Planning and Strategy are made aware of outstanding tasks in schools, in order that they can address the matter with the relevant schools.

#### 4.6 Leased Out Buildings

As part of the focus on statutory compliance a Leased Out buildings Sub-Group has been established to review arrangements for statutory maintenance compliance across leased out premises. The sub-group is chaired by Property Services, with officers from BS&F, health and safety and legal attending and contributing. Work is ongoing to review existing arrangements and ensure that suitable and sufficient statutory maintenance arrangements are in place.

4.7 Moving forward it is planned to use RAMIS to monitor testing compliance across the leased out buildings portfolio. This has a resourcing implication but it is proposed that the vacant property officer post within BS&F is filled and the incumbent will manage this data.

### **5. WELL-BEING OF FUTURE GENERATIONS**

5.1 This report contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that we will seek to prevent accidents and incidents occurring through proactively managing statutory compliance in our buildings in accordance with HSE legislation and guidance. This will assist in safeguarding the health and safety of our employees, residents, service users and visitors and ensure that the Council as a public body and social landlord meets its regulatory duties and corporate objectives.

### **6. EQUALITIES IMPLICATIONS**

6.1 There are no significant implications associated with this report.

### **7. FINANCIAL IMPLICATIONS**

7.1 Operational buildings - testing and associated remedial works are funded via building maintenance budgets held by Property Services or within individual service areas.

7.2 Leased out buildings – the asbestos surveys will be funded by BS&F. The costs of other statutory testing and associated remedial works are the responsibility of the tenant. It is possible that newer tenants could dispute liability for faults that could have predated their occupancy and in that case BS&F may have to fund the works.

### **8. PERSONNEL IMPLICATIONS**

8.1 There are no direct personnel implications.

## **9. CONSULTATIONS**

9.1 The report reflects the views of the listed consultees.

## **10. RECOMMENDATIONS**

10.1 The contents of this report are noted.

## **11. REASONS FOR THE RECOMMENDATIONS**

11.1 To ensure that the Authority meets its statutory responsibilities under Health and Safety law with regard to premises.

## **12. STATUTORY POWER**

12.1 Not applicable to this report.

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