

## Property Safety Compliance Policy

<b>Policy ref:</b>	Compliance
<b>Policy author /holder</b>	Director of Property Services
<b>Date approved:</b>	March 2023
<b>Approved by:</b>	Executive Team & Customer Services Committee Board
<b>Updated and Effective:</b>	August 2024
<b>Review date:</b>	March 2026

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### **1 Purpose**

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- 1.1 The purpose of this policy and associated standards is to ensure that we consistently deliver safe, effective property related compliance services for customers which meet regulatory and legal requirements, including those mandated by the Building Safety Act 2022.
- 1.2 This umbrella policy for all property compliance services aims to achieve the following outcomes in line with our Corporate Strategy, purpose and vision of keeping our customers and colleagues safe and ensuring safe, high-quality and affordable homes, external environments and communities:
- Safe homes, communal areas and estates for our customers and a safe working environment for our colleagues and contractors.
  - Compliance with legislation and regulation as a minimum and achieving best industry practice where possible.
  - Assurance to external and internal stakeholders that our approach to managing building safety, including fire safety is fit for purpose.
  - Consistency and clarity in delivering property related services to an agreed standards.
  - Effective performance management arrangements to ensure that compliance with established standards. Performance information against targets will be shared with customers.
  - Increased awareness and ownership of safety responsibilities among our customers and colleagues.
  - Clear accountability and ownership to ensure effective service delivery.
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- Fit for purpose data, systems and processes that ensure workflow efficiency and compliance.
- 1.3 The inclusion of the Building Safety Team (BST) ensures that compliance services align with the requirements of the Building Safety Act 2022 and its associated secondary legislation. The BST's focus on Higher Risk Buildings (HRBs) further strengthens our commitment to customer safety.

## **2 Scope**

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- 2.1 This policy applies to all LiveWest rented and leasehold stock, including properties managed on behalf of others where we provide one or more of the defined Property Compliance Services detailed in Section 3. It also includes Higher Risk Buildings (HRBs) as defined by the Building Safety Act 2022.
- 2.2 HRBs are defined as buildings at least 18 meters in height or with at least seven storeys and two or more residential units. The policy also extends to discretionary HRBs identified by LiveWest due to construction type, tenure, or findings from surveys or fire risk assessments.
- 2.3 The policy applies to LiveWest employees, external contractors, and any agents providing defined compliance services on our behalf.

## **3 About this Policy**

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- 3.1 The safety of our customers, colleagues and contractors are at the heart of what we do at LiveWest. We are committed to ensuring that arrangements to deliver the full range of core Property Compliance Services , including those required under the Building Safety Act, consistently meet legal and regulatory requirements and achieve our Regulator's Consumer Standard, as an absolute minimum. Where appropriate, we will achieve what is considered to be industry best practice.
- 3.2 To help us achieve this objective we have developed a range of Safety Standards, including the Building Safety Standard, which define what we will do on each Property Compliance Service activity. These Standards explain who is responsible for delivering the service and detail how frequently we expect to carry out specific activities in customers' homes, in communal areas and on estates.
- 3.3 The Standards are supported by clear procedures and instructions to ensure that work streams are delivered consistently by our internal teams and by specialist contractors.



## 4 What the Safety Standards cover

4.1 We have developed Safety Standards around the property compliance activities that we consider to be the most significant, considering the level of risk involved and the scope or complexity of regulation and legislation associated with delivering the service. These are detailed below in priority order:

- **Building Safety Management:**
  - registering Higher Risk Buildings (HRBs) with the Building Safety Regulator.
  - maintaining the Golden Thread of building safety information.
  - preparing and maintaining Building Safety Cases and submitting Building Safety Case Reports.
  - coordinating fire safety and structural risk mitigation works.
  - implementing a Mandatory Occurrence Reporting procedure to manage and report safety incidents.
- **Fire Safety Management:**
  - servicing, inspecting and maintaining fire protection and detection equipment,

- undertaking fire risk assessments on communal areas and any blocks of flats with 2 or more dwellings (which have external entrances but do not have communal areas),
  - managing the works arising from fire risk assessments,
  - providing advice and assurance to customers and teams around fire safety.
- Gas and Oil Management – maintaining and regularly servicing gas and oil appliances and ensuring access against the prescribed timeframes.
  - Electrical Safety Management – undertaken tests and inspections of communal areas and individual homes within prescribed timeframes, including ongoing maintenance and portable appliance testing.
  - Asbestos Management – completing surveys and re-inspections on homes known to contain asbestos, arranging tests and removals, where appropriate and ensuring training and awareness of colleagues/contractors.
  - Legionella Management – ensuring that our homes are safe through regular checks and flushing regimes and also undertaking checks on domestic properties on a risk-based approach.
  - Lift and Lifting Equipment Management – servicing, inspecting and maintaining all kinds of lifts in communal areas and customer’s individual homes.
  - Solid Fuel Management – maintaining and regularly servicing solid fuel systems appliances and ensuring access against the prescribed timeframes.
  - Radon Management - maintaining a radon testing programme, installation of radon remediation systems and ongoing servicing and inspection of all radon remediation systems.
- 4.2 The Standards do, however, address all the services where the risks are considered the highest, where regulation and legislation is most complex and where the most significant resources are deployed. All other compliance services are delivered in line with the principles enshrined in this policy. Additional Standards may from time to time be added to the framework described above.

## 5 The Standards’ Core Principles

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- 5.1 There are a number of key requirements, enshrined in this policy, that are common to all Property Compliance Safety Standards:
- The person or teams responsible for delivering the specific service are clearly defined as set out the Compliance Safety Management Plan Appendix A. This ensures ownership and a clear point of contact.

- We focus on the importance of ensuring that our own in-house teams and specialist contractors, when used, have the necessary skills, knowledge, experience and accreditation to carry out the work. We want all specialist work to be done correctly and we check that colleagues and contractors are competent.
- We ensure employee awareness by providing training and refresher guidance to all those who “need to know”. A training plan is in place to ensure that this is delivered in a structured manner.
- The Standards are designed to provide an easily read overview of each service to a broad audience. They are published on our web site.
- Each Standard has a range of service delivery targets, used internally to check how well we are achieving the standard. These are scrutinised monthly by teams and will be published annually to customers.
- Where practicable, we will involve customers in designing, reviewing and influencing the Standards.
- We make and agree appointment times directly with customers when we need to access their homes and confirm the agreed times. We do not “cold call” on customers.
- We are acutely aware that access to homes is critical to achieve full compliance on specific services. We have firm, clear arrangements in place to ensure that we achieve access where this has been problematic. The ultimate sanction will be to seek access through legal means.
- We aim to provide value for money on the services we deliver. We constantly review whether or not services should be brought “in house” and we have a programme for retendering work at regular intervals.
- All complaints about customer safety are escalated to the relevant manager immediately and we monitor complaints about health and safety issues.
- The safety of our customers is paramount. We will regularly survey customers on how safe they feel in their homes and will act on the findings of these surveys.

## 6 Our Customer’s Responsibilities

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- 6.1 Customers play a really important part in helping us to keep homes and communal areas safe for families, visitors and neighbours.
- 6.2 We will ask our customers to:
- Keep their appointment or let us know in advance.
  - Allow us access when we make a reasonable request.
  - Make sure an adult is at home if there are young people in the property.
  - Keep communal areas free from items that may block the means of escape in the event of a fire.
  - Regularly check the detectors at home.
  - Read information provided on customer safety.

## 7 Defined Responsibilities

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- 7.1 This Compliance Policy provides an appropriate framework that enables LiveWest to manage all aspects of compliance in line with legislative and regulatory requirements and sets out the defined roles and responsibilities.
- 7.2 **Leadership Responsibilities:** The Executive Director of Operations is accountable to Board for property compliance. Duties and responsibilities sit across all parts of the organisation and at all levels.

### **Landlords Authorised Person**

For each area of compliance, the Executive Director of Operations will appoint a Landlords Authorised Person who will be named in the relevant management plan or standard.

### **Delivery Duty Holder**

The Landlords' Authorised Person for each aspect of compliance may appoint one or more delivery duty holders.

### **Compliance Team**

The compliance team support LiveWest to deliver our compliance safety duties.

### **Building Safety Team (BST)**

The BST ensures compliance with the Building Safety Act 2022 and focus on Higher Risk Buildings (HRBs).

### **Managing Agents**

Managing agents will also comply with legislation and provide evidence of certification in line with our safety standards. An escalation process has been included in Appendix 3.

## 8 Equality and Diversity

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- 8.1 We recognise the importance of ensuring all our customers have equal access to our services and that our services are relevant, responsive and sensitive to the needs of our existing and future customers. We will treat all of our customers fairly whilst valuing diversity. We are committed to the principles of equality, diversity and inclusion throughout the organisation with the aim to meet the needs and choice of people from all backgrounds.
- 8.2 An Equality impact Assessment in relation to this policy has been completed and is available on request.

## 9 Monitoring and Review

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- 9.1 We are fully committed to ensuring that the Property Safety Compliance Policy and Standards are fit for purpose, refreshed regularly, and challenged against the latest changes to regulation and best practice.
- 9.2 Performance against delivery of these standards will be reported to the Board in line with the assurance framework. Performance against key standards will be reported to our customers through the annual report and available on our website.
- 9.3 The policy will be reviewed every three years through our Customer Services Committee and more frequently if there are major changes to either regulation or legislation.
- 9.4 The standards will be reviewed annually by Delivery DutyHolders. This review will include a summary of performance against the agreed standard measures.
- 9.5 The policy and standards will be made widely available to customers and stakeholders via an appropriate range of online and printed communication platforms.
- 9.6 We will review customer feedback and identify areas for service improvement on a continuous basis in order to improve performance and to prioritise our work.

## 10 Legal Responsibilities

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- 10.1 This policy has been written with regards to the following:
  - The Regulator of Social Housings Consumer Standards
  - Building Safety Act 2022 and associated secondary legislation
  - The Housing Act 2004
  - The Health and Safety at Work Act 1974
  - The Management of Health and Safety at Work Regulations 1999
  - Gas Safety (Installation and Use) Regulations 1998 (GSIUR) as amended.
  - The Regulatory Reform (Fire Safety) Order 2005
  - The Electricity at Work Regulations 1989
  - The Control of Asbestos Regulations 2012
  - The Control of Substances Hazardous to Health Regulations 2002
  - The Control of Legionella Bacteria in Water Systems (ACOP L8)
  - The Provision and Use of Work Equipment Regulations 1998 (PUWER 98)
  - The Lifting Operations & Lifting Equipment Regulations (LOLER) - L113 (Second edition) Published 2014
  - The Construction Design and Management Regulations 2015
  - Reporting of Injuries Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

- The IEE Wiring Regulations BS 7671
- The Electricity Supply Regulations 1998
- The Housing Health and Safety Rating System. (HHSRS)
- Heating Equipment Testing and Approval Scheme (UK) - (HETAS)
- Disability Discriminations Act 2005
- The Equality Act 2010
- Part M of the Building Regulations
- The Fire Safety Act 2021



## Appendix 1

### Landlords Authorised Person and key roles

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Compliance Area	Landlords Authorised Person	Name	Appointed
Asbestos, Radon, Fire Safety, Electrical Safety, Lift Safety, Gas Safety, Legionella, Solid Fuel	Director of Property Services	Liane Sheppard	22/04/2025

Compliance Area	Delivery Duty Holder	Name	Appointed
Data Compliance Assurance	Head of Safety Compliance	Steve Nelson	01/08/2020
Asbestos Delivery Dutyholder	Asbestos Technical Manager & Delivery Duty Holder	Alan Townsend	01/08/2020
Asbestos Dutyholder Reg 4	Director of Property Services	Liane Sheppard	31/07/2024
Radon	Contracts Manager - Compliance	Bob Colwill	04/12/2023
Fire Safety	Operations Manager – Fire Safety	Alan Brand	29/03/2025
Electrical Safety	Technical & Quality Advisor - Retrofit	John Praoline	01/03/2024
Lift Safety	Contract Manager - Compliance	Alvis West	01/08/2020
Gas Safety	Operations Manager-M&E	Steve Sargent	01/03/2024
Legionella	Contract Manager - Compliance	Bob Colwill	04/12/2023
Solid Fuel	Operations Manager-M&E	John McLaughlin	22/03/2023
Building Safety	Head of Building Safety	Matt Bright	20/09/2021

### Defined Responsibilities

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The Landlords Authorised person is the person who is responsible for:

- Ensuring that we have a robust standard
- Agreeing and maintaining the management plan, procedures and processes
- Ensuring that an appropriate budget is agreed to deliver full compliance with the standard
- Recommending performance targets to the Executive Director of Operations and Executive Team
- Developing a programme of works to deliver the standard
- Monitoring and ensuring effective delivery of the standard
- Acting as Data Manager and ensuring that the data held by LiveWest is robust and up to date.

### Delivery Duty Holder

The Landlords' Authorised Person for each aspect of compliance may appoint one or more delivery duty holders.

The delivery duty holder is the person who has responsibility for:

- Drafting operational procedures and processes
- Maintaining all accreditation, certification and registration
- Delivering compliance to the agreed standard, programme and targets
- Agreeing servicing schedules and programming
- Providing technical support and advice to the Landlord Authorised Person
- Procurement / contractor selection (where required)
- Purchase/works orders and contractor management (where required)
- Ensuring work undertaken by delivery teams /external contractors meets the agreed standards
- Material Specifications
- Undertaking Incident Reviews

### Compliance Team

The compliance team support LiveWest to deliver our compliance safety duties by:

- Providing audit, reporting and assurance activities
- Maintaining an up to date library of operational procedures and processes
- Maintaining all records for accreditation, certification and registration
- Monitoring and reporting on delivery against our programme
- Monitoring compliance with agreed operational procedures and processes
- Supporting the delivery team in communication with customers
- Co-ordinating legal actions to enforce compliance where required

## **Delivery Team**

The delivery team are responsible for:

- Ensuring colleagues undertaking works have the appropriate certification and training
- Compliance with operational procedures including compliance with
- Delivering services in line with the agreed standards, programme and targets
- Customer communication / liaison
- Updating systems
- Procurement / contractor selection (where required)
- Purchase/works orders and contractor management (where required)
- Undertaking the agreed quality checks – 5-10% ops

## **Building Safety Team (BST):**

The BST ensures compliance with the Building Safety Act 2022 and focuses on Higher Risk Buildings (HRBs). Key responsibilities include:

- Overseeing the preparation and maintenance of Building Safety Cases for HRBs.
- Coordinating structural surveys and fire risk mitigation works.
- Ensuring the maintenance of the digital Golden Thread of building information.
- Enhancing resident engagement and acting as a central point of contact for building safety concerns.
- Establishing and managing the **Mandatory Occurrence Reporting** procedure to report incidents to the Building Safety Regulator.
- Collaborating with other teams to ensure compliance without duplicating responsibilities.

### Escalation process for Managing Agents

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LiveWest will proactively contact Managing Agents to remind them when a safety inspection is due prior to its expiry date and request a copy of new certification as evidence of continued maintenance and safety check compliance.

When a managing agent fails to provide a copy of a new safety inspection certificate within two weeks of the inspection expiry date and a managing agent is unable to provide any reasonable explanation as to why it has not been provided, a three-stage, risk-based, approach will be taken. This is so LiveWest can demonstrate that we have taken all reasonable steps in ensuring our customers safety.

- **Stage 1**

To send a letter/email reminding the Landlord/Managing Agent of their legal obligations specific to the Safety Standard in question and pressing for the evidence already requested.

- **Stage 2**

Where there is a continued failure to address LiveWest's request, communication will be sent to the agent threatening to contact the relevant enforcing authority and report the Landlord/Managing Agent's failure/suspected failure to comply with its legal requirements, and

- **Stage 3**

As the ultimate sanction, an external lawyer will proceed to notify the relevant enforcing authority of the Landlord or Managing Agent's failure/suspected failure to comply with its legal requirements, particularly where LiveWest is satisfied that a material risk to safety exists or has reasonable grounds to suspect that either no proactive steps are being taken to remedy matters or the Landlord/Managing Agent has no intention of engaging with LiveWest.

**VERSION CONTROL:**

Version Ref:	Date of change	By whom	Reason
1.0	January 2019	LiveWest Executive Team & Customer Services Committee	Original
2.0	January 2022  February 2022	LiveWest Executive Team & Customer Services Committee Board	Updated Compliance framework flowchart and Defined Responsibilities Updated legal responsibilities Additional: Customer responsibilities, Equality Impact Assessment, reference to strategies and Corporate Plan
3.0	March 2023	LiveWest Executive Team & Customer Services Committee Board	Annual review
3.1	February 2024	Operations Manager - Property Compliance Data	Next review updated to March 2026 Updates to duty holders for Legionella and Radon Safety.
3.2	March 2024	Operations Manager - Property Compliance Data	Updated responsible duty holders for Gas and Electrical works
3.3	May 2024	Operations Manager - Property Compliance Data	Job title changes for the fire safety and asbestos delivery duty holders
3.4	August 2024	Director of Property Services	Include responsibilities of Managing Agent and escalation process
3.5	April 2025	Director of Property Services	Updated Landlords Authorised Person & Asbestos Dutyholder Reg 4 Updated Fire Safety Dutyholder Updated Building Safety Dutyholder and all other references to include managing high risk buildings through the building safety team and Building Safety Act