



Agenda

Meeting: **Cabinet**
Date: **20 March 2024**
Time: **5.00 pm**
Place: **Council Chamber - Civic Centre Folkestone**

To: **All members of the Cabinet**

All Councillors for information

The cabinet will consider the matters listed below on the date and at the time and place shown above.

This meeting will be webcast live to the council's website at <https://folkestone-hythe.public-i.tv/core/portal/home>.

Please note there will be 37 seats available for members of the public, which will be reserved for those speaking or participating at the meeting. The remaining available seats will be given on a first come, first served basis.

1. **Apologies for Absence**
2. **Declarations of Interest (Pages 5 - 6)**

Members of the Council should declare any interests which fall under the following categories:

- a) disclosable pecuniary interests (DPI);
- b) other significant interests (OSI);
- c) voluntary announcements of other interests.

3. **Minutes (Pages 7 - 10)**

To consider and approve, as a correct record, the minutes of the meeting

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Email: committee@folkestone-hythe.gov.uk or download from our
website
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held on 28 February 2024.

4. **Quarter 3 Performance Report 2023-24 (Pages 11 - 44)**

This report provides an update on the Council's performance for the third quarter of the year covering 1st October – 31st December 2023. The report enables the Council to assess progress against the approved key performance indicators arising from the Council's new Corporate Action Plan.

5. **2022-23 Annual Equality Report (Pages 45 - 96)**

The Equality Act 2010 places a statutory duty on the council to prepare and publish information annually to demonstrate compliance with the Public Sector Equality Duty. The draft Equality & Diversity Annual Report is therefore presented for consideration and approval prior to publication.

6. **Oportunitas Limited - Progress report 2023/24 to 31 January 2024 (Pages 97 - 108)**

This report provides an update from the Board of Oportunitas Ltd ("the company") on activities undertaken so far during the 2023/24 financial year, including a projected outturn for the profit and loss account for the period to 31 March 2024 compared to the original forecast, based on activity to 31 January 2024. This report is in-line with the requirement contained in the Shareholder's Agreement between the company and the Council. The chair of Oportunitas will be available at the meeting of Cabinet to present the report and to address any questions.

7. **Housing Compliance Policies - Legionella and Lift Safety (Pages 109 - 172)**

This report presents two policies in relation to health and safety compliance for the Council's housing landlord service. These are, specifically:

1. Housing Compliance (Legionella) Policy
2. Housing Compliance (Lift Safety) Policy

8. **Tenant Engagement Strategy 2024-30 (Pages 173 - 216)**

The Council's current Tenant Engagement Strategy expires in April 2024, and officers have therefore prepared an updated version to reflect changes in policy and legislation, and to ensure compliance with the Regulator of Social Housing's Transparency, Influence & Accountability Standard which comes into effect in April 2024. The Strategic Tenant Advisory Panel has been consulted on the updated strategy and Cabinet is therefore being asked to approve it.

9. **Disposal of property - Stour Bank, Stone Street, Stanford South,**

Kent, TN25 6DE (Pages 217 - 230)

This report seeks permission from Cabinet to dispose of the property Stour Bank, Stone Street, Stanford South, TN25 6DE, recommending that the disposal is carried out immediately to provide a capital receipt to the council for the financial year 2024/25.

10. **Highview, Moat Farm Road, Folkestone, CT19 5DJ: Update on Proposed Sale, Land Matters, and revision to Unilateral Undertaking (Pages 231 - 250)**

In February 2023 Cabinet (Cabinet report C/22/94) resolved to ask officers to investigate alternative delivery options which included a potential disposal to a 3rd party with the benefit of planning consent.

This report informs Members of the progress made since the previous report C/22/94 and seeks to obtain approval to proceed with the sale to the preferred bidder following a marketing exercise undertaken in November 2023. A further decision is also required to approve an amendment to the Unilateral Undertaking, and vary the scheme to be policy compliant, as approved by planning committee on the 7th of November 2023 (planning reference number 23/1641/FH) for 22% affordable homes.

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Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

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Minutes

Cabinet

Held at:	Council Chamber - Civic Centre Folkestone
Date	Wednesday, 28 February 2024
Present	Councillors Mike Blakemore, Polly Blakemore, Gary Fuller, Rich Holgate, Jim Martin (Chairman), Tim Prater (Vice-Chair), Stephen Scoffham, Rebecca Shoob and Jeremy Speakman
Apologies for Absence	Councillors Fuller and Holgate gave apologies for lateness.
Officers Present:	Amandeep Khroud (Assistant Director), Lydia Morrison (Interim S151 Officer), Ola Owolabi (Chief Financial Services Officer), Susan Priest (Chief Executive), Lorraine Smith (Economic Development Senior Specialist) and Jemma West (Democratic Services Senior Specialist)
Others Present:	Councillor Laura Davison (Folkestone & Hythe District Council) and Councillor Connor McConville (Folkestone & Hythe District Council)

NOTE: All decisions are subject to call-in arrangements. The deadline for call-in is Friday 8 March at 5pm. Decisions not called in may be implemented on Monday 11 March 2024.

85. **Declarations of Interest**

There were no declarations of interest at the meeting.

86. **Minutes**

The minutes of the meeting held on 31 January 2024 were submitted, approved, and signed by the Leader.

87. **Housing Compliance Policies - Asbestos and Electrical Safety**

The report presented two policies in relation to health and safety compliance for the Council's housing landlord service. These are, specifically the Housing Compliance (Asbestos) Policy and the Housing Compliance (Electric Safety) Policy.

Proposed by Councillor Shoob,
Seconded by Councillor J Martin; and

RESOLVED:

1. That report C/23/89 be received and noted.
2. That the proposed changes to the Council's Housing Compliance (Asbestos and Electric Safety) Policies outlined in the report and in the appended track-changed documents be approved.

(Voting figures: 7 for, 0 against, 0 abstentions).

(Councillors Holgate and Fuller were not present at the meeting for consideration of this item).

REASONS FOR DECISION:

Cabinet was asked to agree the recommendations because: -

- a. There have been changes in legislation and best practice since the policies were introduced in 2021. Cabinet needs to be made aware of these changes and the policies updated.
- b. The policies will expire in April 2024 and therefore require updating/renewing to ensure the Council is fully compliant with health and safety legislation.

88. Folkestone and Hythe District Council Budget 2024/25

The report presented the Folkestone and Hythe District Council Budget 2024/25.

Councillor Prater advised on an amendment to the recommendations, that a fifth recommendation be added as per the addendum which had been circulated at the meeting (appended to these minutes).

Proposed by Councillor Prater,
Seconded by Councillor J Martin; and

RESOLVED:

1. That report C/23/90 be received and noted.
2. To recommend to Full Council that the proposed Revenue Budget 2024/25 be approved, and a Council Tax rate of £280.08 be set at Band D, representing an increase of £8.01 on the current charge.

3. That the Council Tax Resolution at Appendix 1 of the report be approved.
4. That it be noted, with thanks, the voluntary reduction in Special Responsibility Allowance (SRA) from the Leader (£13,740) and Deputy Leader (£1,145) to enable the Ward Grants budget to remain at £90,000 in the 2024/25 budget.
5. That the budget be amended, in respect of the Members allowances, as per the addendum which is appended to these minutes.

(Voting figures: 8 for, 0 against, 0 abstentions).

(Councillor Fuller did not take part in the vote, as he arrived towards the end of the debate on this item).

REASONS FOR DECISIONS:

Cabinet was asked to agree the recommendations because the District Council's Revenue Budget and Council Tax rate for 2024/25 needs to be set in accordance with the Local Government Finance Act 1992.

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This Report will be made public on 12 March 2024



Report Number **C/23/92**

To: Cabinet
Date: 20 March 2024
Status: Non-Key Decision
Director: Amandeep Khroud - Assistant Director - Governance, Law & Service Delivery
Cabinet Member: Councillor Tim Prater – Deputy Leader and Cabinet Member for Finance and Governance

SUBJECT: QUARTER 3 PERFORMANCE REPORT 2023-24

SUMMARY: This report provides an update on the Council's performance for the third quarter of the year covering 1st October – 31st December 2023. The report enables the Council to assess progress against the approved key performance indicators arising from the Council's new Corporate Action Plan.

Key performance indicators will be monitored during 2023-24 and reported to Members quarterly.

REASONS FOR RECOMMENDATIONS:

- a) The Council is committed to monitoring performance across all of its corporate service ambitions to ensure progress and improvement is maintained.
- b) The Council needs to ensure that performance is measured, monitored and the results are used to identify where things are working well and where there are failings and appropriate action needs to be taken.

RECOMMENDATIONS:

- 1. To receive and note report C/23/92.
- 2. To note the performance information for Quarter 3 2023-24 in Appendix 1.

1. QUARTER 3 PERFORMANCE REPORT 2023-24

- 1.1 The Council's corporate plan 'Creating Tomorrow Together' 2021-30 was adopted by Full Council on 24th February 2021 (Report ref: A/20/10).
- 1.2 The Corporate Plan is built on 4 key service ambitions and 6 guiding principles. Each service ambition has a number of priority areas identified within it, these priorities will be the focus of Council activity over the remaining period to 2024. The service ambitions are set out below:

Service Ambitions
 - Positive Community Leadership
 - A Thriving Environment
 - A Vibrant Economy
 - Quality Homes and Infrastructure
- 1.3 The Plan also adopted 6 Guiding Principles, which will guide the Council in undertaking its duties. These are: Sustainable Recovery; Locally Distinctive; Greener Folkestone & Hythe; Transparent, Stable, Accountable & Accessible; Working Effectively with Partners; and Continuous Improvement.
- 1.4 To support the council in delivering against its priorities documented in the corporate plan, a detailed action plan covering a three-year period to 2024 and supporting KPIs was adopted by Cabinet on 20th October 2021 (Report ref: C/21/40). The KPIs that support the action plan are reviewed on an annual basis and amendments to the suite covering the current financial year were presented to the Finance & Performance Sub Committee and Cabinet in July 2023 (Report ref: C/23/09).
- 1.5 The Quarterly Performance Report (Appendix 1) has been produced to summarise the Council's performance for Quarter 3 (1st October – 31st December 2023).
- 1.6 Quarterly Performance Reports enable Finance & Performance Scrutiny Subcommittee, Cabinet, other Members of the Council and the public to scrutinise the performance of the Council against strategic deliverables and key indicators in accordance with the approved Corporate Action Plan.
- 1.7 Where a performance indicator is not being met, explanations have been given from the relevant Service leads and noted in the report.
- 1.8 The performance indicators which have fallen below target are monitored by the Council's Performance & Improvement Specialist who will work with the relevant Service Manager to identify appropriate action that can be taken to resolve the situation.

2. PERFORMANCE – EXCEPTION REPORTING

2.1. Service Ambition 1: Positive Community Leadership

- 2.1.1 A total of 1 priority play area was improved by the council during the quarter. The improvement work was the renewal of the play bark safety surface at the Princes Parade play area. Further improvement works are intended to be carried out to the Coastal Park Play Area later this year for the accessible play area, however this project may be delayed until Quarter 1 2024/25 depending on contractor availability.
- 2.1.2 The average number of days taken to process new claims for Housing Benefit from the date completed evidence is received has shown an improved position in Quarter 3 compared to the same period last year, achieving 2.6 days. This is continuing to help residents on low income understand more quickly what support is available to them for their housing costs.
- 2.1.3 The district offers a wide range of food business which includes restaurants, pubs, takeaways, the fishing industry, and food manufacturers, with 98.9% of premises being rated 3 stars or above in the quarter, the equivalent of satisfactory to very good. A total of 112 premises were inspected in during the quarter.
- 2.1.4 A further 72 households have been supported in the district via the Home Essential Fund during Quarter 3, a limited scheme (funded by UK Shared Prosperity Fund) to support low-income households with energy efficient solutions to help reduce their costs and supply more efficient items to replace broken ones. Support has included: replacement of home white good items, beds, mattresses, boiler replacements and servicing. The total number of households supported by the scheme during the year to end of Quarter 3 is 179.
- 2.1.5 A total of 6 community safety events/projects were delivered during the quarter which included:
- **Violence Against Women and Girls Event (October 2023):** The Community Safety and Licensing teams worked with Kent Police for the Tackling Violence Against Women and Girls' event at Folkestone Central railway station. Representatives from the Folkestone Area Partnership Against Crime (FAPAC), RSPCA, Rising Sun and Home Start Shepway engaged with over 25 commuters and the public from the local area who would be using the train network. The emphasis was about keeping safe and proved a great engagement about awareness.
 - **CSP Stand in Bouverie Place (October 2023):** On 18 October 2023, the Community Safety team, Urban Pastors, Sgt Sarah Williams from Kent Police and KCC Warden Neil Staveley along with Lucy Smith from the RSPCA who has worked with the officers regarding animal related matters had a stand at Bouverie Place in Folkestone. The officers provided advice to over 30 people about scams and keeping safe including listening to views on issues in the local area. This coincided with Business Crime Reduction Safety Week.
 - **Operation Sceptre (November 2023):** Operation Sceptre is a week-long campaign held from 13 November to 19 November 2023 that highlighted

the commitment of the police working with the public and partners to prevent young people becoming involved in serious violence. Members of the Community Safety Team worked alongside the KCC warden and Kent and Medway Violence Reduction Unit (VRU) hosting a stand in Bouverie Place on 17 November engaging with about 45 members of the public.

- **National Safeguarding Adults Week (November 2023):** As part of the annual Safeguarding Adults Weeks from 20 to 24 November 2023, the Community Safety Team Lead, along with HomeStart Shepway/, KCC wardens and staff from KCC Children's Social Services hosted a stand in Bouverie Place, Folkestone on 24 November 2023. The officers gave safeguarding advice and signposted to relevant partner agencies.
- **CSP Networking Event (November 2023):** A Community Safety Partnership networking event was held at the Civic Centre on 21 November 2023. Around 55 partner agencies attended along with the council leader Cllr Jim Martin, Cllr Mike Blakemore, Cllr Polly Blakemore, Cllr Nicola Keen, Cllr Jackie Mead, Cllr Alan Martin, Cllr James Butcher and Cllr Anita Jones. Representatives from the council's housing team and the licensing team attended with those from the Diocese Canterbury & South International Community Church, Change Grow Live, Sanctuary, Town & County, Housing, Victim Support, Environment Agency, Serveco, Porchlight, Kent Police, Border Force, Cheriton Baptist Church Urban Pastors, KCC Wardens, KCC Adult Social Care, Rainbow Centre, Future Skills, KCC Early Help, RSPCA, HomeStart Shepway, Rising Sun, Active Community Development including Probation and Southeastern Railway.
- **Violence Against Women and Girls Event (December 2023):** The Community Safety team was joined by Kent Police, Urban Pastors and FAPAC (Folkestone Area Partnership Against Crime), at Folkestone West railway station from 4pm on 8 December 2023. The officers engaged with around 30 people promoting how violence was going to be tackled against women and girls in our district.

2.2. Service Ambition 2: A Thriving Environment

- 2.2.1 A total of 6 enforcement notices were issued by Environmental Enforcement Officers for offences including breaches of Community Protection Notices (CPNs) served for the following: unauthorised occupation of council land, a dog being a public nuisance, loud music from an Air BnB and waste accumulation on private land.
- 2.2.2 133 fixed penalty notices were issued for low level environmental crime, including littering, fly-posting, dog fouling, failure to display smoke-free signs at premises and on vehicles and smoking within designated smoke-free premises and vehicles.
- 2.2.3 The Local Area Officer Team have supported a total of 10 community volunteer environmental events working with local community groups including Go Folkestone, Hythe Environmental Group and the Residents of Hawkinge. The volunteers attending these events have collected 223 bags of litter to help keep local areas around the district clean and tidy.

- 2.2.4 A total of 1,280 'See it, Own it, Do it' interventions have been actioned by the Local Area Officer Team to help ensure the district remains a welcoming and attractive place to live, work and visit. The team have undertaken a variety of work in the quarter, including Graffiti removal, needle collections, removal of flyposting while patrolling the district.
- 2.2.5 97.09% of streets surveyed were clear of litter during the quarter following inspection of various locations across the district undertaken by members of the Waste Services team. A total of 378 inspection surveys of streets were carried out in locations including: Folkestone, Paddlesworth, New Romney, Peene, Elham, Lydd and Hythe.
- 2.2.6 The number of missed bins per 100,000 has continued to show excellent performance during the year so far falling to 28.86 in Quarter 3. The overall industry standard for missed bins is 60 per 100,000 and results achieved during the quarter demonstrate a sustained level of excellent performance in delivery of weekly household collections by our contractor Veolia.
- 2.2.7 A further 8 streetlights were converted to LED within the district by the end of the quarter bring the cumulative conversion total to 92% to improve energy efficiency as part of Council's wider ongoing work to increase its resilience against climate change. The remaining 8% of street lighting to be converted has had to be re-programmed due to increased costs for UK Power Networks overhead connections. Officers are investigating whether some of the outstanding 56 assets could be removed from the programme to reduce the final cost, which is currently more than the remaining budget. The timescale for full completion is therefore expected to be by the end of April 2024.

2.3 Service Ambition 3: A Vibrant Economy

- 2.3.1 A further two applications for the Romney Marsh Business Grant Support Scheme were approved during the Quarter for businesses that have moved into the Romney Marsh Business Hub. The business that received funding were: JK Senior Holdings Ltd and Financial Resolutions Mortgage Brokers Ltd.
- 2.3.2 There were no new approvals for Green Business Grant Scheme applications during Quarter 3 due to awaiting further information from applicants to be able to complete evaluations, however, there has been renewed interest in this scheme, and as a result a total of 9 applications are now being assessed in order to present these decision panels. In addition, the Rural England Prosperity Fund grant scheme launched during Quarter 3 has seen a total of 21 Expressions of interest, resulting in 13 invitations to make a full application, and 7 full applications received at the end of Quarter 3 to bring forward to decision panels.

- 2.3.3 A total of 15 businesses have been engaged with in the district by the Economic Development team to help support business growth and retention of local jobs. The business engaged with include: NIC Instruments, Stagecoach Southeast, Burlington Hotel, Sleeping Giant Media, The Workshop, Disruptive Urbanism, Martello Building Consultancy, Alliance Livingstone Homes, Profile Architects, Screen South, Stroud Wealth Management, Leas Lift Company, Radio Waves Media.
- 2.3.4 The funding awarded to the council through the Levelling Up Fund is continuing to support progress with projects to transform Folkestone Town Centre, notably with the initial design phase. Phase 1 designs for transforming the route from Folkestone Central Station through to Cheriton Road have now been completed. A positive public consultation was also undertaken in November 2023 regarding the outline design for Middleburg Square with this consultation using Virtual Reality technology to bring the proposed outline design to life which was very well received by the public. The cost of the project remains on target. The key issue is the impact of the initial 6-month delay in project approval from Department of Levelling Up, Housing and Communities (DLUHC) and the impact that has had on the project schedule. The Regeneration team are seeking advice from DLUHC in terms of securing an extension of time beyond March 2025 deadline for funding to be spent.
- 2.3.5 Work with the UK Shared Prosperity Fund (UKSPF) continues to progress well regarding this fund, which focuses on the cost of living, energy efficiency and skills. The Three projects are:

1. Home Essential Fund (HEF)

The HEF has a strict qualifying criteria to ensure those that benefit are those in need. Year to date performance is included below:

- Boiler servicing to ensure boilers are as efficient as possible. Year to date = 8
- Boiler replacement for items that are no longer suitable for use. Year to date = 15
- Oil heating tune ups and support for residents that use oil for fueling their home. Year to date = 19
- White goods provision. To supply replacement or new energy efficient items to households including cookers, fridges/freezers, washing machines/dryers, microwaves and other items as appropriate. Year to date = 70
- Beds and mattresses to homes that do not have suitable bed provision. Year to date = 87

2. Mobile Pantry Project

During Quarter 3 the mobile food bank and mobile food Pantry service was launched. Press releases, publicity and comms including invitations to DLUHC for the launch events were organised and delivered.

Other key activity included:

1. The volunteer drivers were trained as well as volunteers from the Rainbow centre to deliver the on-board service from the various initial locations.

2. Lydd, Hawkinge Community Centre, Harbour Church (on Canterbury Rd East Folkestone) and Folkestone Academy School locations were visited on a weekly basis and preparation work began for a fifth location. The wrap around service of a money advisor was also bought into the programme and additional work to extend this role has begun.

3. Skills

The Skills programme planning is on track to launch in Spring 2024 focusing on 3 key areas:

1. Supporting: Supporting post-16 to 19-year-old students (through apprenticeships and vocational courses) by allocating a portion of the funding to courses facilitated by local colleges (East Kent College, Mid Kent College, North Kent College) that will help support our local construction needs and green sectors.
2. Expanding access to upskilling and reskilling programs (via short-courses offered by local colleges and training providers) to enable career progression and re-skilling for existing staff. Additionally, a potential provision to support with Higher National Certificate and Higher National Diploma costs as a possible pilot is also being considered where requested.
3. A bespoke grant scheme that is dedicated to supporting industry-specific, bespoke training programs. This will allow both new and existing employees to progress & widen their skill set where needed, tailored to personalised needs.

2.4 Service Ambition 4: Quality Homes and Infrastructure

- 2.4.1 A further 84 private sector homes were improved during the quarter as a result of intervention by the Council helping to continually improve the standards and compliance of properties within the sector. A total of 272 private sector homes improved through Council intervention for the year-to-date with the annual target for the year being met.
- 2.4.2 A further 12 councils homes have been purchased in the quarter as part of the Local Authority Housing Fund bringing the total number to 14 to date during the year, an improved position compared to the previous year. The new homes were purchased in Folkestone, Hythe, New Romney and Lydd.
- 2.4.3 A further 29 Affordable homes were delivered by the Council and its partners in the quarter bringing the year to date total to 62. The new homes were delivered in the following areas of the district: Folkestone, New Romney and Sellindge.
- 2.4.4 A further 7 long-term empty homes were brought back into use in the quarter bringing the year to date total to 37. The delivery on empty homes is continually dependent on developers progressing improvement projects and continues to be affected by rising costs. The Private Sector Housing Team are continuing to work closely with partners to maximise the completions achieved in 2023/24 year.

2.4.5 100% of blocks had a valid FRA in place at the end of the period. As a result of conducting Fire Risk Assessments on our communal housing blocks, there were a 129 outstanding actions from completed Fire Risk Assessments, including 20 overdue med/low-risk actions and one overdue high-risk action in relation to fire-doors (which is on programme for delivery).

To monitor

2.4.6 The number of homelessness approaches to the Council has continued to remain high with 483 approaches recorded in the Quarter. On average the council has received 150 approaches per month, with approximately 30% of these closed at the assessment stage as requiring 'advice only'. The number of approaches is continuing to be monitored by the housing team.

2.4.7 The average number of people sleeping rough in the district rose peaking at 23 the end of October 2023 (an average of 17 over the whole quarter). The housing team are continuing to undertake out-reach work to offer support solutions and advice to those sleeping rough.

2.4.8 The average number of households bed and breakfast (B&B) accommodation has halved over the past quarter to 6 but remains under target. Work is ongoing by the housing team to provide accommodation and support solutions for this complex client group.

2.4.9 94.35% of properties met the decent homes standard at the end of the quarter. At the start of the financial year 184 additional properties became non-decent, (where parts of a building reach the end of their shelf-life and 'expire') bringing the total amount of non-decent homes to 285. In the past quarter, a further 68 properties were made 'decent' reducing this to 182 by the end of December. Decent Homes improvements form part of the capital programme of works for the year ahead and the Asset Data Specialist now employed within the Housing team is continuing to specifically look at Decent Homes failures for this year and proactively for next year with anticipation of continued improvement in overall position.

2.5 Transparent, Stable, Accountable & Accessible

2.5.1 In Quarter 3, a further 615 new customers registered for the My Account service equating to an additional 1.15% take up when compared to residential properties. Since the launch of the service in August 2020, over 37,882 customers have registered equating to 72.94% take up so far, helping residents to access a range of council information and services online.

To monitor

2.5.2 The number of Freedom of Information (FOI)/ Environmental Information Requests (EIR) responded to within the statutory timeframe remains under target. A total of 7 of the 37 overdue cases are marked as 'overdue due to service area', meaning that the service area did not get the required information over to the team in time for us to compile and return to the

requestor. Quarter 3 was a busier period for these requests than the previous quarter. During this quarter, there was a period of absence in the specialist team which impacted on the workload due to only having one full time and one part time case officer working on all cases. Mitigation of this impact has been addressed in the proposed organisational restructure due to be implemented at the beginning of April 2024.

2.5.3 The number of subject access requests (SARs) responded within the statutory timeframe continues to remain under target due to a period of absence in the specialist team which impacted on the workload due to only having one full time and one part time case officer working on all cases. Both case officers can now compile and respond to all SARs, having only complex cases checked. Mitigation of this impact has been addressed in the proposed organisational restructure due to be implemented at the beginning of April 2024.

2.5.4 The percentage of data breaches assessed to decide if they are reportable to the ICO has continued to remain under target during Quarter 3. The awareness of data protection has grown within the Council, the number of reported data breaches received has remained around the same as the previous quarter. This quarter there were a total of 25 breach reports with the majority being either very minor or classed as a 'near miss'. A total of nine cases were not assessed in time, with all of these being 'overdue due to service area'. The managers of each service area responsible are aware of all instances and are ensuring that targeted training is being undertaken on the importance of timeliness in data breach reporting.

2.5.5 A total of two breaches were submitted within the statutory time period to the ICO during Quarter 3. One of these breaches was overdue by the time it arrived with the Information Governance Team. The data breach report form was filled out by the officer, who failed to click the 'submit' button at the end. The IT Systems Team found the unfinished form and submitted it to us a week later, by which point the statutory 72 hours had already passed. The Information Governance Team have now removed the feature where the form can be saved and submitted later. If someone tries to navigate away from an unfinished form they will be prompted to finish it. The ICO were satisfied with the way in which both breaches were dealt with and mitigated.

3. RISK MANAGEMENT ISSUES

3.1 The following perceived risks are set out in the table below:

Perceived risk	Seriousness	Likelihood	Preventative action
The Council's strategic objectives are not met.	High	Medium	Monitor progress against performance indicators and take remedial action for those areas where targets and actions are unlikely to be achieved.

The key performance indicators (KPIs) do not link to the objectives of the Council's Corporate Action Plan.	High	Medium	Monitor progress against key performance indicators and take remedial action for those areas where targets and actions are unlikely to be achieved.
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4. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

- 4.1 **Legal Officer's Comments (NM)** - There are no legal implications or risks arising directly out of this report. The Key Performance Indicators must continue to take account of both existing and new statutory duties and responsibilities that are imposed on the Council by the Government. Failure to do so will put the Council at risk of legal challenge by affected residents and/or businesses. Whilst reporting on performance is not a statutory requirement, it is considered best practice to review the Council's progress against the Corporate Plan and Service Plans on a regular basis.
- 4.2 **Human Resources Comments (RB)** - There are no direct Human Resource implications emanating from this report. The council's People Strategy has been created to support the corporate plan and achievement of associated KPIs.
- 4.3 **Finance Officer's Comments (DL)** - There are no financial implications arising directly from this report.
- 4.4 **Climate Change (AT)** – No direct implications arising from this report. The report provides an update on the Council's performance covering 1st October-31st December 2023. The report does not propose new projects, policies or strategies but provides an update on actions that are already in progress. Some of the environmental projects that the council is currently undertaking are summarised in the report in Section 2.2 'A Thriving Environment' and in Appendix 1, Section 02 'A Thriving Environment'.
- 4.5 **Diversities and Equalities Implications (GE)** - Equality Impact Assessments (EIAs) are systematically carried out for any services, projects or other schemes that have the potential to impact on communities and / or staff on the grounds of particular protected characteristics or socio-economic disadvantage. Over the course of the year, performance against some indicators might potentially have equality and social inclusion implications, if performance is not at an acceptable level. These will be highlighted as necessary in the corporate performance reporting, along with details of the steps that will be taken to address these.
- 4.6 **Communications Comments (DK)** - The communications team will use these KPIs as appropriate in their promotion of council services.

5. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting.

Gavin Edwards – Senior Performance Officer

Tel: 01303 85 3436

Email: gavin.edwards@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report:

Appendices:

Appendix 1: Quarter 3 2023/24 Key Performance Indicators Report

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Folkestone & Hythe District Council

Quarter 3 Performance Report (October -December 2023)



Your Cabinet Members



Cllr Jim Martin
Leader of the Council and Cabinet
Member for Otterpool Park and
Planning Policy



Cllr Tim Prater
Deputy Leader and Cabinet
Member for Finance and
Governance



Cllr Rebecca Shoob
Cabinet Member for Housing and
Homelessness



Cllr Stephen Scoffham
Cabinet Member for Climate,
Environment and Biodiversity



Cllr Jeremy Speakman
Cabinet Member for Assets and
Operations



Cllr Polly Blakemore
Cabinet Member for Transport,
Regulatory Services and
Building Control



Cllr Mike Blakemore
Cabinet Member for Community
and Collaboration



Cllr Rich Holgate
Cabinet Member for Place Plan,
Heritage, Tourism and District
Economy



Cllr Gary Fuller
Cabinet Member for Resident
engagement and accountability

Your District - An Overview

Our district is situated on Kent's south east coast and covers an area of 140 square miles. It is a place of variety and contrast with a landscape characterised by rolling chalk downland, wooded valleys, wild marshes, and a 26-mile coastline. The district has a population of approximately 113,300 of which 57.4% (32,900) of female residents and 59.1% (33,100) of males are of working age.

Our principal town, Folkestone, is home to just under half the district's population. It is also the area's commercial hub, particularly for creative and digital media - one of the UK's fastest-growing sectors. The Creative Quarter in Folkestone's Old Town is home to a thriving collection of artists' studios and creative businesses and offers artists, retailers and business people the chance to become part of this lively and ever-growing community.

As well as its strong creative focus, the district attracts a variety of innovative small and medium size businesses (SMEs) and is home to strong brand names including Saga, Eurotunnel, Holiday Extras, the Aspinall Foundation and Church & Dwight.

The historic town of Hythe is the district's second centre of population and one of two ancient Cinque Ports in the district. Its central feature is the Royal Military Canal, built for defence against invasion in the Napoleonic wars with France. To the west are the wide open spaces of Romney Marsh, home to New Romney, our second Cinque Port; Lydd, a member of the Confederation of Cinque Ports as a 'limb' of New Romney, and a number of smaller coastal communities. Contrasting with the wild expanse of marshes are the North Downs, a ridge of chalk hills that stretch from Dover to Farnham. The Downs are home to pretty villages, including Elham, Lyminge and Postling, hidden valleys and thriving vineyards.

Although the district is rural and coastal in character, it is very well connected. The M20 offers easy access to London and other major motorway networks, London is under an hour away via High Speed 1 (HS1) from Folkestone and we have unrivalled access to mainland Europe via the Channel Tunnel.

We think our district is a great place to live, work and visit. It's where the past has made its mark and where a bright new future is unfolding. As the local authority for the district, we have a key role to play in shaping that future.



The Old High Street, Folkestone



Royal Military Canal, Hythe



Dungeness, Romney Marsh

Introduction

In February 2021, we published our new Corporate Plan ‘**Creating Tomorrow Together**’, a 34-page document setting out our over-arching principles and service ambitions up until 2030 following approval by councillors.

The plan identifies the main priorities and themes of the council, including the key role we will play in leading the district's recovery from the coronavirus pandemic.

The name of our corporate plan was inspired by the excellent relationships and networks which the council already has - and will continue to build on for the benefit of residents. It also alludes to the recovery work already being undertaken.

The plan was subject to public consultation in late 2020 and incorporates the key points raised during the consultation period to ensure it reflects the needs and ambitions of our residents, businesses and key stakeholders across the district.
















The plan is focused on four service ambitions which are priority areas of action that relate to the key services that the council plans, delivers and commissions and six guiding principles that guide everything that we do (**see summary image**).

The adopted service priority actions as part of the plan have been further developed into a corporate action plan, with progress against the plan itself monitored annually, and the plan will be comprehensively reviewed in 2024 to ensure it remains appropriate for the district.

A copy of our new corporate plan can be found here: [Creating Tomorrow Together – Corporate Plan 2021-30](#)



Creating Tomorrow Together: Corporate Plan 2021-30




<p>Service ambition 1: Positive community leadership Priorities in the next three years</p> <ul style="list-style-type: none">  Improve physical and mental health & wellbeing  Safer communities  Supporting & empowering our communities 	<p>Service ambition 2: A thriving environment Priorities in the next three years</p> <ul style="list-style-type: none">  Ensure an excellent environment for everyone  Grow the circular economy & reduce waste  Increase our resilience to climate change 	<p>Service ambition 3: A vibrant economy Priorities in the next three years</p> <ul style="list-style-type: none">  Reinvigorate the high streets  Support a vibrant & diverse business community  Help people access jobs & opportunity  Grow the skills we need for the future 	<p>Service ambition 4: Quality homes and infrastructure Priorities in the next three years</p> <ul style="list-style-type: none">  Improve outcomes & support for homeless people  Deliver sustainable, affordable housing  Deliver a safe, accountable housing service  Digital inclusion & connectivity  Deliver a sustainable new development at Otterpool Park
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In everything we do we will follow these guiding principles:

<p>Sustainable recovery We will do all we can to ensure a strong recovery for the district from the effects of COVID.</p>	<p>Locally distinctive We will protect the special distinctive and diverse nature of our district - working with our key partners to enhance it.</p>	<p>Greener Folkestone & Hythe We will encourage and create a more sustainable district consuming fewer natural resources.</p>	<p>Transparent, stable, accountable and accessible We will be financially sustainable and communicate effectively with our communities in an accessible way.</p>	<p>Working effectively with partners We will engage with partners to understand the vital role they play and work collaboratively with them to ensure the best outcomes for our residents.</p>	<p>Continuous improvement We will embed a culture of continuous improvement, seeking feedback and being innovative and creative to find new ways to deliver services.</p>
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Above: Corporate Plan - Service Ambitions and Guiding Principles

01 Positive Community Leadership

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)
Number of new priority play areas improved by the Council	0	0	0	1		1 site per year	✓	↑
	<p><i>Renewal of play bark safety surface at Princes Parade play area, however no new equipment has been installed at priority play in Quarter 3.</i></p> <p><i>It remains the intention to carry out improvements to the Coastal Park Play Area later this year for the accessible play area however this project may be delayed until Quarter 1 2024-25 depending on contractor availability.</i></p> <p><i>The use of S106 funding allocated to Cheriton Recreation Ground needs to be considered to address any shortfalls in provision & maintenance of hard surfaces.</i></p>							
Average number of days to process new claims for Housing Benefit from the date complete evidence is received.	4.5	4.5	4.6	2.6		7 Days (Monthly)	✓	↑
Average number of days taken to process new claims for Housing Benefit	10.8	12.9	11.4	13.1		17 Days (Monthly)	✓	↓
% food premises broadly compliant (equivalent to 3 rating)	96.6%	95%	97%	98.9%		95% (Quarterly)	✓	↑
	<p><i>The percentage achieved for Quarter 3 is based on a total of 112 premises being inspected in the period.</i></p>							
Number of community safety events held, and projects delivered (Public)	15	11	15	6		10 (Annual)	✓	↑
	<p><i>In Quarter 3, a total of 6 community safety events or projects were delivered by the Community Safety Unit that included:</i></p> <ul style="list-style-type: none"> Violence Against Women and Girls Event (October 2023): The Community Safety and Licensing teams worked with Kent Police for the Tackling Violence Against Women and Girls' event at Folkestone Central railway station. Representatives from the Folkestone Area Partnership Against Crime (FAPAC), RSPCA, Rising Sun and Home Start Shepway engaged with over 25 commuters and the public from the local area who would be using the train network. The emphasis was about keeping safe and proved a great engagement about awareness. 							
Performance Key	 Improved Performance		 Worsened Performance		 Performance is the same			




01 Positive Community Leadership

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)
<p>Page 28</p>	<ul style="list-style-type: none"> <p>CSP Stand in Bouverie Place (October 2023): On 18 October 2023, the Community Safety team, Urban Pastors, Sgt Sarah Williams from Kent Police and KCC Warden Neil Staveley along with Lucy Smith from the RSPCA who has worked with the officers regarding animal related matters had a stand at Bouverie Place in Folkestone. The officers provided advice to over 30 people about scams and keeping safe including listening to views on issues in the local area. This coincided with Business Crime Reduction Safety Week.</p> <p>Operation Sceptre (November 2023): Operation Sceptre is a week-long campaign held from 13 November to 19 November 2023 that highlighted the commitment of the police working with the public and partners to prevent young people becoming involved in serious violence. Members of the Community Safety Team worked alongside the KCC warden and Kent and Medway Violence Reduction Unit (VRU) hosting a stand in Bouverie Place on 17 November engaging with about 45 members of the public.</p> <p>National Safeguarding Adults Week (November 2023): As part of the annual Safeguarding Adults Weeks from 20 to 24 November 2023, the Community Safety Team Lead, along with HomeStartShepway/, KCC wardens and staff from KCC Children’s Social Services hosted a stand in Bouverie Place, Folkestone on 24 November 2023. The officers gave safeguarding advice and signposted to relevant partner agencies.</p> <p>CSP Networking Event (November 2023): A Community Safety Partnership networking event was held at the Civic Centre on 21 November 2023. Around 55 partner agencies attended along with the council leader Cllr Jim Martin, Cllr Mike Blakemore, Cllr Polly Blakemore, Cllr Nicola Keen, Cllr Jackie Mead, Cllr Alan Martin, Cllr James Butcher and Cllr Anita Jones. Representatives from the council’s housing team and the licensing team attended with those from the Diocese Canterbury & South International Community Church, Change Grow Live, Sanctuary, Town & County, Housing, Victim Support, Environment Agency, Serveco, Porchlight, Kent Police, Border Force, Cheriton Baptist Church Urban Pastors, KCC Wardens, KCC Adult Social Care, Rainbow Centre, Future Skills, KCC Early Help, RSPCA, HomeStart Shepway, Rising Sun, Active Community Development including Probation and Southeastern Railway.</p> <p>Violence Against Women and Girls Event (December 2023): The Community Safety team was joined by Kent Police, Urban Pastors and FAPAC (Folkestone Area Partnership Against Crime), at Folkestone West railway station from 4pm on 8 December 2023. The officers engaged with around 30 people promoting how violence was going to be tackled against women and girls in our district.</p> 							

01 Positive Community Leadership

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)
Number of households in the district receiving support through the UKSPF'	-	63	44	72		200 (Annual)	✓	New KPI for 23/24 year
	<p><i>A total of 72 households have been supported via the Home Essential Fund in Quarter 3 - a limited scheme funded by the UK Shared Prosperity Fund (UKSPF) to support low-income households with energy-efficient solutions to help reduce their costs and supply more efficient items to replace broken ones. Support has included: replacement of home white-goods items, beds, mattresses, boiler replacements and servicing.</i></p>							
Number of Community Safety projects delivered (Behind the Scenes Work)	-	7	3	2		4 (Annual)	✓	New KPI for 23/24 year




02 A Thriving Environment

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)
Retain Green Flags for the Coastal Park, Royal Military Canal, Kingsnorth Gardens and Radnor Park sites	-	-	-	-	-	4 (Annual)	-	
	<i>This indicator is collated on an annual basis and not available quarterly. A figure will be available at the end of Quarter 4.</i>							
Number of enforcement notices served (e.g. Abatement Notices, Community Protection Notices)	2	5	12	6		*45 (informal) (Annual)	✓	↑
Page 30	<p>A total of 6 enforcement notices were served in Quarter 3 for the following offences:</p> <ol style="list-style-type: none"> 1) Community Protection Notice (CPN) for unauthorised occupation of council land. 2) CPN for waste accumulation of private land. 3) CPN for dog control 4) Environment Act 1995 Notice – requisition for information relating to an incident of fly-tipping 5) Noise Abatement Notice 6) Health Act 2006 – requisition for information relating to smoking in a smoke free place 							
Number of Community Protection Warnings (CPWs) issued	6	17	14	11		40 (Annual)	✓	↑
Fixed Penalty Notices issued for Low level Enviro-crime (littering, dog control)	32	105	92	133		*200 (informal) (Annual)	✓	↑
Fixed Penalty Notices issued for High level Enviro-crime (large Fly-tipping)	1	1	2	7		*20 (informal) (Annual)	✓	↑
Number of Breaches issued under the Public Space Protection Order	-	0	0	1		10 (Annual)	x	New KPI for 23/24 year
Performance Key	 Improved Performance		 Worsened Performance		 Performance is the same			





02 A Thriving Environment

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)	
ASB enforcement action taken (including CPWs and CPNs)	-	3	4	3		*20 (informal) Annual	✓	New KPI for 23/24 year	
Percentage of street surveyed clear of litter within the district	94.44%	98.52%	97.2%	97.09%		95% (Monthly)	✓	↑	
	A total of 378 inspection surveys of streets were carried out by monitoring officers in Quarter 3 in locations including: Folkestone, Paddlesworth, New Romney, Peene, Elham, Lydd & Hythe								
Number of community environmental volunteer events supported	11	12	14	10		15 (Quarterly)	✗	↓	
Page 31	The number of community volunteer events was just under target in Quarter 3 due to members Christmas holiday commitments, otherwise the target for events would have been met. The Area Officer team have continued to give out litter picking equipment to individuals and households to support community clean ups. A total of 6 sets of equipment were handed out in Quarter 3.								
Number of recorded See it, Own it, Do it (SOD It) interventions completed	1,160	1,377	1,155	1,280		1200 (Quarterly)	✓	↑	
Average time for anti-social or offensive graffiti to be removed from the time of being reported	48 hours	48 hours	24 hours	24 hours		48 Hrs (Quarterly)	✓	↑	
Performance Key	↑ Improved Performance		↓ Worsened Performance		■ Performance is the same				




02 A Thriving Environment

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)
Percentage of street lighting within the district converted to LED	30% (cumulative)	74% (cumulative)	86% (cumulative)	92% (cumulative)		100% completion by Autumn 2023	X	↑
	<p><i>A further 8 street lights were converted to LED within the district by the end of the quarter bring the cumulative conversion total to 92% to improve energy efficiency as part of Council's wider ongoing work to increase its resilience against climate change. The remaining 8% of street lighting to be converted has had to be re-programmed due to increased costs for UK Power Networks overhead connections. Officers are investigating whether some of the outstanding 56 assets could be removed from the programme to reduce the final cost, which is currently more than the remaining budget. The timescale for full completion is therefore expected to be by the end of April 2024.</i></p>							
Number of missed bin collections per 100,000	33.48	43.1	35.54	28.86		50 (Monthly)	✓	↑
Percentage of household waste recycled	43.3%	49.2%	47.4%*	TBC		50% (Monthly)	X	↑
	<p><i>The recycling tonnage data for the final month of Quarter 3 (December 2023) is currently unavailable - this is provided by Kent County Council and is typically supplied 1-2 months in arrears.</i></p>							
Number of days to remove fly tipped waste on public land once reported	1	1	1	1		3 Days (Monthly)		▬
	<p><i>A total of 336 incidents of fly-tipped waste were dealt with on public land within the district during Quarter 3. The breakdown is as follows: October – 106 November – 139 December - 91</i></p>							
Percentage of compliant air quality monitoring sites	100%	100%	100%	100%		100% (Quarterly)	✓	▬
Enforcement - Percentage of successful prosecutions (Incl Fly tipping and Littering)	100%	100%	-	-		100% (Quarterly)	✓	▬
	<p><i>No prosecutions took place in Quarter 3.</i></p>							
Performance Key	 Improved Performance		 Worsened Performance		 Performance is the same			

03 | A Vibrant Economy

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)
Number of engagements undertaken by the Folkestone & Hythe Place Panel on projects of scale or strategic significance.	2	4	1	3		3 (Annual)		
Total funding allocated from the Romney Marsh Business Hub grant support scheme	12.22% (allocated since fund inception) £0 allocated in Q3	27% (allocated since fund inception) £0 allocated in Q1	27% (allocated since fund inception) £0 allocated in Q2	36% (allocated since fund inception) £49,690 allocated in Q3		70% of available funds allocated in 2023-24	X	
Page 33	<p><i>A total of two applications for the Romney Marsh Business Grant Support Scheme were approved during November 2023 for businesses that had moved into the Romney Marsh Business Hub. These were for J K Senior Holdings Ltd and Financial Resolutions Mortgage Brokers Ltd. The 36% allocation of funds relates to 7 approved applications. An eighth application was withdrawn by the applicant. 12 offices were occupied at the end of Quarter 3. A further application has been received to bring to decision panel in Quarter 4. The scheme is now closed to any further applications.</i></p> <p><i>The target to allocate 70% of funds is not likely to be met during this financial year due to the number of applications received and the values requested from businesses leasing offices at the hub. However, there is no requirement exhaust the £140,000 total fund on this grant scheme as remaining funds will be utilised on other Romney Marsh projects.</i></p>							
Number of Folkestone & Hythe businesses accessing business support and grants from public sector programmes	8	3	3	0		10 (Annual)	✓	
	<p><i>There were no new approvals for Green Business Grant Scheme applications during Quarter 3 due to awaiting further information from applicants to be able to complete evaluations. There has been renewed interest in this scheme, and as a result a total of 9 applications are being assessed to present these to decision panels during quarter 3. In addition, the Rural England Prosperity Fund grant scheme launched during Quarter 3 and this has seen a high level of interest which has resulted in multiple applications being evaluated at decision panels.</i></p>							
Number of businesses or potential entrepreneurs/ new start-ups signposted to support programmes and events to facilitate growth	12	832	835	832		50 minimum (Annual)	✓	




03 A Vibrant Economy

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)
	<p>The figure for Quarter 3 continues to be higher than the same period last year because all businesses on our database were signposted to relevant opportunities detailed on Folkestone Works and other opportunities by emails. This included such topics as the Green Business Grant Scheme, ExperienceFH app for local businesses and the Sustainable futures forum. Ad hoc support was also provided in response to enquiries, which included enquiries from businesses looking for local premises and various grant scheme enquiries, including about the green business grant scheme. These enquiries were generally potential applicants asking if they would be eligible to apply and to run through the process.</p>							
Number of businesses engaged with in the district to support growth and retention of local people	18	18	17	15		12 (Annual)	✓	↓
	<p>During Quarter 3, a minimum of 15 businesses were directly engaged with to support growth and the retention of local people. These included: NIC Instruments, Stagecoach Southeast, Burlington Hotel, Sleeping Giant Media, The Workshop, Disruptive Urbanism, Martello Building Consultancy, Alliance Livingstone Homes, Profile Architects, Screen South, Stroud Wealth Management, Leas Lift Company, Radio Waves Media.</p>							
Performance Key	 Improved Performance		 Worsened Performance		 Performance is the same			

04 Quality Homes and Infrastructure

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)	
Numbers of new homes built within the district	-	-	-	-		622 homes (Annual)	-	-	
	<i>This indicator is collated on an annual basis and is not available quarterly. A figure will be available at the end of Quarter 4.</i>								
Number of homelessness approaches (includes Triage, Prevention, Relief & Decision cases)	421	315*	597*	483		No Target	-	↓	
	Aim to minimise (data only – no target). On average we receive around 150 approaches per month, with approximately 30% of these closed at the assessment stage as requiring ‘advice only’. We are seeing slightly higher numbers compared with the same point last year.								
Percentage of homelessness approaches closed as 'homelessness prevented'	17.1%	7.62%	4.61%	5.4%		4%	✓	↓	
	Aim to maximise (on target). Of the total approaches we received in Q3 (above) 70 required a ‘prevention’ duty. We helped secure permanent accommodation in 26 (or 37%) of these cases (or 5.4% of total approaches), meeting targets for homelessness prevention.								
Average number of rough sleepers in the period	10	10	19	17		<6	x	↓	
	Aim to minimise (off target). We have seen a district-wide increase in rough sleeping with the number of people sleeping rough peaking at 23 the end of October (an average of 17 over the whole quarter). The housing team continue to undertake out-reach work to offer support solutions and advice.								
Average number of households in Bed and Breakfast Accommodation	5	13	12	6		0	x	↓	
Performance Key	↑ Improved Performance		↓ Worsened Performance		■ Performance is the same				






04 Quality Homes and Infrastructure

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)
	<p>Aim to minimise (off target). The number of people we are housing in bed and breakfast (B&B) accommodation has halved over the past quarter but remains above the number we would like it to be (zero). Work continues to provide accommodation and support solutions for this complex client group.</p>							
Average number of households in Temporary Accommodation	27	26	37	36		<35	X	↓
	<p>Aim to minimise (within 5% of target). The number of households in temporary accommodation (TA) remains slightly over target, but the overall number in TA and/or B&B has reduced over the past quarter. As with B&B above, higher overall numbers this year reflect an increase in demand for housing and work continues to provide accommodation and support solutions.</p>							
Long-term Empty Homes brought back into use	15	1	29	7		70 (Annual)	X	↓
Page 36	<p>Aim to maximise (off target). Delivery on empty homes is dependent on developers progressing improvement projects and continues to be affected by rising costs. Performance stands at 37 for the year-to-date. In the current financial climate, it is unlikely that we will achieve our target of 70 for the year. The properties completed in Quarter 3, are located in Folkestone, Dymchurch and Hythe.</p>							
Affordable homes delivered by the Council and its partners	38	3	30	29		80 (Annual)	✓	↓
	<p>Aim to maximise (off target). Delivery on affordable homes and additional homes for low-cost homeownership (below) is reliant on development remaining on track across the district. We have progressed to 62 overall affordable homes for the year-to-date and are currently on track to achieve target at year-end. However, we are aware of potential delays to some schemes that may push back delivery into the next financial year. The properties completed in Quarter 3 are located in Folkestone, New Romney and Sellindge.</p>							
Affordable homes for low-cost home ownership delivered by the Council and its partners	4	1	10	7		32 (Annual)	X	↑
	<p>Aim to maximise (off target). Of the total of 29 affordable homes delivered in Quarter 3, 7 were specifically designated for low-cost homeownership, bringing the total to 18 for the year-to-date. As with overall affordable homes (above), we are reliant on development remaining on track across the district and anticipate potential delays to some schemes that may push delivery back into the next financial year. The properties delivered in Quarter 3 are located in Folkestone and Sellindge.</p>							
Performance Key	 Improved Performance		 Worsened Performance		 Performance is the same			



04 Quality Homes and Infrastructure

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)	
Private sector homes improved as a result of intervention by the Council	110	125	63	84		200 (Annual)	✓	↓	
	Aim to maximise (on target). Target has been met with 272 homes improved so far for the year-to-date.								
Council home new builds and acquisitions started on site	0	2	0	12		20 (Annual)	x	↑	
	Aim to maximise (off target). To date 14 properties have been purchased as part of the Local Authority Housing Fund. 1 further property will be acquired in Q4. Although off target, performance has improved compared to the previous year. The properties delivered in Quarter 3 are located in Folkestone, Lydd, New Romney and Hythe.								
Percentage of properties that meet the decent homes standard	96.95%	91.9%	92.35%	94.35%		99% (Monthly)	x	↓	
	Aim to maximise (within 5% of target). Performance has improved to 94% with 192 failings now reported across the stock. 93 properties have been made 'decent' so far this year and 68 over the last quarter.								
Percentage of properties with a known EPC rating of grade C or above.	-	55.7%	55.7%	58%		No target		New KPI for 23/24 year	
	New KPI introduced this year. Information only (no target). Of 3,000 properties with a known EPC rating, 1,741 (58%) are at now at grade C or above.								
Properties with a valid LGSR	99.79%	100%	100%	99.9%		100% (Monthly)	x	↑	
	Aim to maximise (within 5% target). Landlord Gas Safety Record (LGSR). Undertaking annual gas safety checks by their anniversary date is a mandatory requirement. One property had an outstanding LGSR at the end of the period.								

04 Quality Homes and Infrastructure

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)
Blocks with a valid Fire Risk Assessment	100%	100%	100%	100%		100% (Monthly)	✓	
	<p>Aim to maximise (on target). Ensuring all applicable communal housing blocks have a valid Fire Risk Assessment (FRA) in place is a mandatory requirement. 100% of blocks had a valid FRA in place at the end of the period. At the end of Q3 there were 129 outstanding actions from completed Fire Risk Assessments, including 20 overdue med/low-risk actions and one overdue high-risk action in relation to fire-doors (which is on programme for delivery).</p>							
Blocks with a valid Legionella Risk Assessment	100%	100%	100%	100%		100% (Monthly)	✓	
	<p>Aim to maximise (on target). Ensuring all applicable communal housing blocks have a valid Legionella (Water Safety) Risk Assessment in place is a mandatory requirement. 100% of blocks had a valid Legionella Risk Assessment in place at the end of the period.</p>							
Blocks with valid (in date) Electrical Certificate (EICR)	100%	100%	100%	100%		100% (Monthly)	✓	↑
	<p>Aim to maximise (on target). Electrical Installation Condition Report (EICR). Ensuring all applicable communal housing blocks have a valid, in date, EICR is a mandatory requirement. 100% of blocks had a valid EICR in place at the end of the period.</p>							
Domestic properties with a valid (in date) EICR	94.86%	96.94%	98.01%	98.9%		100% (Monthly)	X	↑
	<p>Aim to maximise (within 5% of target). Electrical Installation Condition Report (EICR). It is a mandatory requirement that social housing landlords complete a new EICR on all applicable domestic (i.e. tenanted) properties at least every 5 years. At the end of Q3. there were 37 properties outstanding and the position is improving.</p>							
Performance Key	 Improved Performance		 Worsened Performance		 Performance is the same			




04 Quality Homes and Infrastructure

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)
Properties Asbestos compliant (Communal)	100%	100%	100%	100%		100% (Monthly)	✓	
<p>Aim to maximise (on target). Ensuring all applicable communal housing blocks have a valid Asbestos Assessment in place is a mandatory requirement. 100% of blocks had a valid Asbestos Assessment in place at the end of the period.</p>								
Insurance visits completed on communal lifts (LOLER)	100%	71.43%	100%	100%		100% (Monthly)	✓	↑
<p>Aim to maximise (on target). Lifting Operations and Lifting Equipment Regulations (LOLER). Ensuring all communal lifts in our blocks have had an inspection and are certified safe, is a mandatory requirement. 100% of blocks had an insurance check and a valid certificate in place at the end of the period.</p>								
% of major planning applications to be determined within statutory period (including any agreed extension of time)	100%	100%	100%	100%		60% (Quarterly)	✓	↑
<p>Major' Applications in Quarter 3: Total Decisions: 1; Determined in agreed time: 1.</p> <p>The percentage figures (Major, Minor, Other) represent all decisions which have been made either within the original target time period specified by statute or an extended time period agreed/requested by an applicant.</p> <p>In some cases an extension to the agreed time period is requested for a number of reasons such as:</p> <ul style="list-style-type: none"> • to manage workloads caused by a need to seek further information • delays caused by awaiting consultee responses • Seeking amendments to improve the scheme to make it acceptable and/or raise the quality of the built environment. (In some instances, applicants ask for an extension of time to allow them an opportunity to a proposal to overcome officer and consultee concerns.) 								
Performance Key	↑ Improved Performance		↓ Worsened Performance		 Performance is the same			




04 Quality Homes and Infrastructure

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)
% of minor applications to be determined within the statutory period (including any agreed extension of time)	88%	86%	90%	95%		70% (Quarterly)	✓	↑
	Please see comment above.							
	Minor' Applications in Quarter 3: Total Decisions: 60; Determined in agreed time: 57.							
% of other planning applications to be determined within statutory period (including any agreed extension of time)	93%	95%	96%	94%		85% (Quarterly)	✓	↑
	Please see comment above.							
	'Other' Applications in Quarter 3: Total Decisions: 115; Determined in agreed time: 107.							
Performance Key	↑ Improved Performance		↓ Worsened Performance		■ Performance is the same			

Transparent, Stable, Accountable and Accessible

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)
Council tax collection	82.49% (Cumulative)	28.83% (Cumulative)	55.6% (Cumulative)	81.96% (Cumulative)		97.3% (Annual)	✓	↓
Business Rates collection rate	86.65% (Cumulative)	35.81% (Cumulative)	61.69% (Cumulative)	81.74% (Cumulative)		97.5% (Annual)	✓	↓
Increased take up of My Account and online transactions	1.18%	1.39%	1.26%	1.15%		8% (Annual)	✓	↓
	<p><i>In Quarter 3 a total of 615 customers have registered for My Account, an increase of 1.15%. Since the launch of the service in August 2020, a total of 37,882 customers have registered for the service equating to 72.94% take up so far.</i></p>							
Page 41 Lifeline - Number of calls answered within 60 seconds	97.9%	98.3%	98.3%	97.8%		97.5% (Monthly)	✓	↓
Lifeline - Number of calls answered within 180 seconds	99.8%	99.8%	99.7%	99.7%		99% (Monthly)	✓	▬
All Freedom of Information / Environmental information Requests to be responded to within the statutory period of (20 working days or lawful extension).	84.67%	87.65%	82.28%	81.86%		90% (Monthly)	✗	↓
	<p><i>A total of 7 of the 37 overdue cases are marked as 'overdue due to service area', meaning that the service area did not get the required information over to the team in time for us to compile and return to the requestor. Quarter 3 was a busier period than the previous quarter. During this quarter, there was a period of absence in the specialist team which impacted on the workload due to only having one full time and one part time case officer working on all cases. Mitigation of this impact has been addressed in the proposed structure for April 2024.</i></p>							
Performance Key	 Improved Performance		 Worsened Performance		 Performance is the same			

Transparent, Stable, Accountable and Accessible

Description	Q3 2022-23 Comparison	Q1 Actual 2023-24	Q2 Actual 2023-24	Q3 Actual 2023-24	Q4 Actual 2023-24	Target	On Target	Performance (Compared with same quarter last year)
All Subject Access Request responses to be provided within the statutory period (1 calendar month or lawful extension).	77.78%	47.62%	92.3%	86.36%		90% (Monthly)	X	↑
	<p>Quarter 3 was a busier period than the previous quarter. During this quarter, there was a period of absence in the specialist team which impacted on the workload due to only having one full time and one part time case officer working on all cases. Both case officers can now compile and respond to all SARs, having only complex cases checked. Mitigation of this impact has been addressed in the proposed structure for April 2024.</p>							
Percentage of data breaches assessed within 72 hours to decide if it is reportable to the ICO.	53.8%	70%	74.07%	64%		100% (Monthly)	X	↑
Page 42	<p>As awareness of data protection has grown within the Council, the number of reported data breaches received has remained around the same as the previous quarter. This quarter there were 25 breach reports in total, with the majority being either very minor or classed as a 'near miss'.</p> <p>A total of nine cases were not assessed in time, with all of these being 'overdue due to service area'. The managers of each service area responsible are aware of all instances and are ensuring that targeted training is being undertaken on the importance of timeliness in data breach reporting.</p>							
Percentage of reportable data breaches that were submitted to the ICO within 72 hours.	0%	-	0%	50%		100% (Monthly)	X	↑
	<p>There were two data breaches that met the threshold for reporting to the Information Commissioner's Office (ICO) for this quarter.</p> <p>One of these was overdue by the time it arrived with the Information Governance Team. The data breach report form was filled out by the officer, who failed to click the 'submit' button at the end. The IT Systems Team found the unfinished form and submitted it to us a week later, by which point the statutory 72 hours had already passed. The Information Governance Team have now removed the feature where the form can be saved and submitted later. If someone tries to navigate away from an unfinished form they will be prompted to finish it. The ICO were satisfied with the way in which both of these breaches were dealt with and mitigated.</p>							
Performance Key	 Improved Performance		 Worsened Performance		 Performance is the same			

Register for **'My Account'** - The easy way to access Council information:

- Pay your council tax and view your previous council tax bills
- Find your bin collection day
- See planning applications within a 500m radius of your registered property
- Report missed bins and dog fouling
- View a history of your council tax reductions and housing benefits
- View details of your local councillors..... and more!

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It's clear, simple and fast and is also available on your tablet and mobile.

This Report will be made public on 12 March 2024



Report Number **C/23/95**

To: Cabinet
Date: 20 March 2024
Status: Non-Key Decision
Director: Amandeep Khroud – Assistant Director:
Governance and Law
Cabinet Member: Councillor Mike Blakemore – Cabinet Member for
Community and Collaboration

SUBJECT: EQUALITY & DIVERSITY ANNUAL REPORT 2022-23

SUMMARY: The Equality Act 2010 places a statutory duty on the council to prepare and publish information annually to demonstrate compliance with the Public Sector Equality Duty. The draft Equality & Diversity Annual Report is therefore presented for consideration and approval prior to publication.

REASONS FOR RECOMMENDATIONS:

The council needs to ensure that it meets the statutory requirements of the Public Sector Equality Duty. The report demonstrates the council's commitment to positively contributing to the advancement of equality and good relations, summarises the activities undertaken in 2022-23 to promote equality, diversity, and inclusion, and highlights the positive measures that have been taken to remove barriers, improve access to services, and increase customer satisfaction.

RECOMMENDATIONS:

1. To receive and note report C/23/95.
2. To consider and approve the draft Equality & Diversity Annual Report outlined in Appendix 1.

1. BACKGROUND

- 1.1 The Equality Act 2010 created a Public Sector Equality Duty. In essence, this duty requires public authorities to consider how they could positively contribute to the advancement of equality and good relations. It requires equality considerations to be taken into account when making decisions and reflected in the design of policies and the delivery of services. While compliance is a legal obligation, the duty should be viewed as beneficial for organisations; the aims of better informed public sector decision-making and policy development should lead to services that effectively and appropriately meet diverse user needs and to increased customer satisfaction.
- 1.2 The Public Sector Equality Duty is made up of a general equality duty, which is the overarching requirement of the Public Sector Equality Duty, and 'specific duties', which are designed to ensure public authorities meet the general equality duty.
- 1.3 The general equality duty came into force in April 2011 and states that in the exercise of their functions a public authority must have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act;
 - Advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - Foster good relations between people who share a relevant protected characteristic and those who do not.

Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Having due regard for fostering good relations involves tackling prejudice and promoting understanding.

The Act states that compliance with the equality duty may involve treating some people more favourably than others.

- 1.4 The Public Sector Equality Duty covers the nine protected characteristics outlined in the Equality Act, which are:
 - Age
 - Disability
 - Gender Reassignment

- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation
- Marriage and civil partnership¹.

2. THE ANNUAL EQUALITY & DIVERSITY REPORT

- 2.1 The 'specific duties' outline a statutory requirement for public authorities to publish information annually to demonstrate compliance with the general equality duty (outlined in paragraph 1.3).
- 2.2 The current publication is over 12 months old so an updated version is now required. This report has been presented much later than anticipated during the year due to a time lag in the publication of some data sets used for the report from external sources that reflect the 2022-23 year.
- 2.3 This annual report has therefore been updated in order to demonstrate the council's compliance with the general Public Sector Equality Duty and commitment to its principles. The report:
- Provides a range of demographic and socio-economic information. This can be used to understand more about the needs of our local communities and those that may be affected by council services, policies and practices and in order to inform decision-making and policy development.
 - Demonstrates how the council has engaged with the community, taken actions to enable better understanding of different customer needs and ways to support them, and considered potential equality and diversity implications prior to making decisions.
 - Outlines the activities the council has undertaken over the past year to promote equality, diversity and inclusion amongst its workforce, Members and within the community, and the positive measures that have been taken to remove barriers, improve access to services and increase customer satisfaction.
- 2.4 The 'specific duties' also outline the requirement for the council to prepare and publish equality objectives that it thinks it should achieve in order to meet the general equality duty every four years. These equality objectives are outlined in the council's current Equality and Diversity Policy (2021-25) and reproduced in section 6 of the Equality & Diversity Annual Report (Appendix 1).

¹ Only the first aim of the general equality duty applies to this characteristic, meaning that public authorities need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status in the workplace. The other aims (advancing equality and fostering good relations) do not apply.

- 2.5 Once considered and approved by Cabinet, the Equality and Diversity Annual Report will be published on the Equality and Diversity page of the council's website.

3. IMPACT ON CORPORATE STRATEGY AND POLICY DEVELOPMENT

- 3.1 A number of actions have taken place in 2022-23 in support of the delivery of the Corporate Plan and these are highlighted in the annual report (Appendix 1). The council has a number of strategies, policies and strategic projects in place to meet the current and anticipated needs of a diverse district and will continue to use this type of information to inform service design, policy development and future decision-making.

- 3.2 The report highlights activities that have taken place in 2022-23 to support different customer needs, to promote equality, diversity and inclusion, and the positive measures that have taken place to remove barriers, improve access to services and increase customer satisfaction. Areas of note include:

- The successful reapplication of the Customer Service Excellence accreditation in September 2022. The accreditation is a government standard developed to offer a practical tool for driving customer-focused change within organisations. The independent assessor continues to be very impressed with our commitment to deliver excellent customer service and awarded us 16 'compliance plus' scores as part of his assessment. This is the highest number of compliance pluses awarded to us in one go.
- The Housing Service has gone from strength to strength and continues to work towards our vision of: ***An excellent, digitally enabled service that is easy to deal with and where tenants (customers) are at the heart of everything we do.*** Key areas of work included:
 - A re-launch and strengthening of the Independent Living Forum, where tenant representatives of the sheltered (elderly) housing service meet to discuss issues relevant to them.
 - Spending over £477,000 on aids and adaptations to help council tenants with disabilities to live safely and comfortably in their homes.
 - The launch of Housing Online, a tenant access sign up portal allowing tenants to carry out a number of functions themselves, such as reporting a repair or making online payments to their account, viewing and downloading rent statements and updating their contact details. Almost 20% of our tenants have so far signed up to Housing Online.
 - Delivering a total of 103 new affordable homes with partners for rent and shared ownership continuing to boost the supply of much needed homes in the district.
 - 308 hospital admissions prevented or hospital discharges accelerated as a result of Private Sector Housing Team and partner intervention.
 - Bringing 50 long term empty homes within the district back into use.
 - Improved 437 private sector homes for local people as a result of enforcement action and the provision of the Disabled Facilities Grant, Winter Warmth and Home Safe loans.
- The council hosted an annual 'Meet the Funders' event on 22nd September 2022. The event attracted over 80 attendees who had the opportunity to hear from funders including the National Lottery Community Fund, Kent

Community Foundation, Crowd Fund Kent and Roger De Haan Charitable Trust. Attendees were able to book-15-minute face to face meetings with funders to discuss their project funding needs.

- The district hosted the eighth annual Kent & Medway Civilian Military Armed Forces Covenant Conference in June 2022. The event was attended by more than 150 people, including serving and former personnel from all the services, public sector and other organisations, including service charities. The theme of the day, organised by the Kent & Medway Civilian Partnership Board, was promoting a greater understanding and awareness of the needs of the armed forces community. Service children, housing, homelessness, employment and service charities were all discussed. There was also an update on the new Armed Forces Act and what it means in practice.
- The council continued to support the District Food Network (DFN). The Network is chaired by an independent member of the community working with the Rainbow centre.- The group meets once every two months and has supported delivery of the Community Fridge, the Hythe Pantry and other food-related projects, including supporting the delivery of UKSPF (UK Shared Prosperity Fund) work. In February 2023, the council supported the Food For Thought workshop at Three Hills which brought together organisations to network and to discuss food poverty reduction initiatives including plans for the mobile foodbank to agree locations etc.
- A total of 168 Ward Grants, totaling over £89,000, have benefitted local charities and community groups, further enhancing the council's involvement with local communities, and assisted with the delivery of efficient and effective projects and services to ward areas.
- Renewal of Annual Grant funding for the following local community organisations including The Sports Trust, Folkestone Sport Centre Trust, Active Sport Kent, Folkestone Quarterhouse, Academy FM and Citizens Advice Bureau.
- The council successfully bid for funding from the UK Shared Prosperity Fund (UKSPF). The welfare team administer the element of this funding that focusses on interventions to reduce the cost of living, including through measures to improve energy efficiency, and combat fuel poverty and climate change. Elements of this scheme have been developed following smaller projects and demand through previous rounds of Household Support Fund such as the bed project, boiler support and provision of white goods. These areas have also been identified when liaising with residents and partner agencies, demonstrating that the scheme is being delivered in response to resident need. Since launch of the scheme in February 2023 to end of March 2023 a total of 200 households were provided support totalling £44,563.
- Continued Support of the Crowdfund Kent Scheme launched by Kent County Council to contribute match funding to local projects that participate via the Spacehive Crowdfunding platform. Some of the funded projects the council contributed to in 2022/23 include:
 - Touchbase Community Garden, providing improvements to an outdoor space for people with disabilities and neuro-diverse conditions, including creating a sensory garden, to improve wellbeing.
 - Folkestone Sea Sauna, which aims to promote exercise in the district by making sea swimming more accessible and affordable.

- Tables for Sellindge Sports and Social Club, allowing the club to restart events and activities paused during the pandemic, particularly focusing on encouraging vulnerable people to participate in activities and reduce loneliness.
- The Folkestone and Hythe Community Safety Partnership has continued to progress key activity including the administration of Police and Crime Commissioner (PCC) funding to deliver projects to vulnerable and diverse communities across the district during the year. These included:
 - Ask Angela Safe Spaces – This involved working with Bouverie Place to Develop a safe place for members of the public. This started from a conversation with Bouverie Place to provide safeguarding awareness and support due to it being a risk location for suicides. Local shops have joined the scheme and we have created a safe space for people to access for any reason they may need.
 - Year 9 Safety Conference held at the Leas Cliff Hall in Folkestone. The engaged with over 900 young people, providing awareness and support from PREVENT, Violence Reduction Unit (VRU), Kent Police and Domestic Abuse awareness,

4. RISK MANAGEMENT ISSUES

4.1

Perceived risk	Seriousness	Likelihood	Preventative action
Failure to fulfil statutory obligations imposed by Public Sector Equality Duty	High	Low	Preparation and publication of Equality & Diversity Annual Report

5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

5.1 Legal Officer's Comments (NM)

Legal implications and the council's statutory obligations are set out in the body of the report.

5.2 Finance Officer's Comments (LK)

There are no direct financial implications associated with the report.

5.3 Human Resources (RB)

There are no direct Human Resource implications emanating from this report.

5.4 Diversities and Equalities Implications (GE)

The report provides information that may support informed decision making, outlines the council's achievements in advancing equality in 2022-23, and fulfils the council's statutory obligations.

5.5 Climate Change (AT)

No direct impacts arising from the publication of this report (Appendix 1), as the report is a factual update on activity over the last monitoring year (2022/23). However, several of the projects detailed in the report have the

potential to impact positively on climate change considerations, such as bringing long-term empty homes back into use, which will reduce the use of resources in construction, and funding for the community hubs and Citizens Advice Bureau, which has the potential to alleviate fuel poverty.

6. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

Gavin Edwards

Senior Performance Officer

Tel: 01303 85 3436

Email: gavin.edwards@folkestone-hythe.gov.uk

Appendices:

Appendix 1: Draft Equality & Diversity Annual Report 2022-23

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Annual Equality and Diversity Report

A reflection on the 2022-23 Year

Published: xx 2024

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Section 5: Compliments, Feedback and Complaints	Pages 37-38
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Foreword

Thank you for taking the time to read the council's Equality and Diversity Annual Report.

This report has been produced in accordance with the Public Sector Equality Duty created by the Equality Act 2010. The purpose of this document is to:

- Provide a range of demographic and socio-economic information. This can be used to better understand the needs of our local communities and those that may be affected by council services, policies and practices, and in order to inform decision-making and policy development.
- Demonstrate how the council has engaged with the community, taken actions to enable better understanding of different customer needs and ways to support them, and considered potential equality and diversity implications prior to making decisions.
- Outline the activities the council has undertaken during 2022-23 to promote equality, diversity and inclusion both amongst its workforce (officers and members) and within the community, and the positive measures that have been taken to remove barriers, improve access to services and increase customer satisfaction.

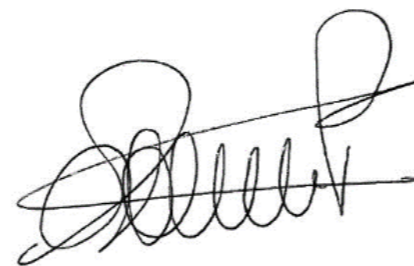
We hope that you find this document useful and informative. Further information, including the council's related Equality and Diversity Policy, can be found at: <https://folkestone-hythe.gov.uk/your-council/policies-plans-and-documents/equality-and-diversity>

Alternatively you can contact us at: policy@folkestone-hythe.gov.uk

Yours sincerely,



Cllr Mike Blakemore
Cabinet Member for Community and
Collaboration



Dr Susan Priest
Chief Executive



Section 1

Our Achievements and Engagement Activities

Introduction: The council has undertaken numerous projects throughout 2022/23. This section looks in more detail at some of the engagement activities we conducted over the year to promote equality, diversity and inclusion. Our achievements are fully detailed in [2022-23 Annual Performance Report: 'A snapshot of our year'](#).

01 Our Achievements and Engagement Activities

Folkestone & Hythe Housing Service

In 2022-2023 the Housing Service has gone from strength to strength and continues to work towards our vision of: **An excellent, digitally enabled service that is easy to deal with and where tenants (customers) are at the heart of everything we do.** Key areas of work included:

- The Strategic Tenant Advisory Panel (STAP) has been consulted on and influenced our Rechargeable Repairs Policy and Repairs & Maintenance Policy, the review of our Independent Living service, the tenant handbook, and the new cleaning contract for communal areas in council housing blocks. The Chair of STAP also worked closely with the Regulator of Social Housing as part of the pilot consumer regulation project F&HDC took part in. Reviewing the performance of the housing service also forms a key part of STAP's work, and they review performance information and hold to account when they meet every two months.
- Housing Online was launched which is a tenant access sign up portal allowing tenants to carry out a number of functions themselves, such as reporting a repair or making online payments to their account, viewing and downloading rent statements and updating their contact details. Almost 20% of our tenants have so far signed up to Housing Online.
- Our Tenant Engagement Strategy and associated action plan has continued to ensure tenant engagement work develops and increases.
- We spent over £477,000 on aids and adaptations to help council tenants with disabilities to live safely and comfortably in their homes.
- A manager from the Housing Team is a standing member of the F&HDC District Vulnerability Panel, ensuring that any concerns about vulnerable or potentially vulnerable tenants can be promptly raised in a multi-disciplinary setting.
- A re-launch and strengthening of the Independent Living Forum, where tenant representatives of the sheltered (elderly) housing service meet to discuss issues relevant to them.
- Increasing the frequency of printed publications that are sent by post to all tenants from twice a year to quarterly.
- The engagement and involvement of council tenants from all backgrounds is encouraged and enabled by the provision of multiple contact methods including online, by telephone and in person via home visit.
- Staff have access to professional translation and interpretation services.

We have continued to work on delivering homes that meet the needs of our changing population and during the 2022/23 year we have:

- Delivered a total of 103 new affordable homes with partners for rent and shared ownership continuing to boost the supply of much needed homes in the district.

- 308 hospital admissions prevented or hospital discharges accelerated as a result of Private Sector Housing Team and partner intervention.
- Brought 50 long term empty homes within the district back into use.
- Improved 437 private sector homes for local people as a result of enforcement action and the provision of the Disabled Facilities Grant, Winter Warmth and Home Safe loans.
- Awarded a total of 107 disabled facilities grants to support those with disabilities adapt their own homes
- We have invested over £570,000 on disabled aids and adaptations to our council housing stock to help council tenants with disabilities live safely and comfortably in their homes. The following major and minor disabled adaptations work was undertaken during year:

Major Works		Minor Works	
Job Type	Number of Jobs	Job Type	Number of Jobs
FFS/Bathroom Refurbs	39	Grab Rail, Handrails etc.	110
Door Widenings & New Doors (internal & external)	3	Kitchen & Bathroom Alterations	3
Groundwork (ramps, paths, driveways, patios etc.)	2	Door Widenings & New Doors (internal & external)	14
Kitchen Refurb Works	19	Groundwork (ramps, paths, driveways, patios, fencing, permissions etc.)	6
Stairlifts	5	Galvanised Rails	14
		Bathroom alterations	15
		Electrics	6

The Council has continued to implement its Homelessness Prevention Strategy, working closely with our local partners, including the Rainbow Centre and Porchlight, to deliver a range of services to prevent vulnerable people from becoming rough sleepers and, where people are already rough sleepers, provide services to support them to access accommodation and help move to a more settled way of life. The services include:

01 Our Achievements and Engagement Activities

- The provision of outreach services to identify and verify people rough sleeping in the district.
- The provision of emergency accommodation to help people move away from the street.
- Sign-posting to mental health and other support services.
- Support to assist people to access long-term accommodation both within the social and private housing sectors.
- Support services to prevent tenancy breakdown and a potential return to the streets.
- The provision of accommodation services for the most entrenched rough sleepers, including intensive housing support.
- Joint working with other services, in particular the Rainbow Centre and Porchlight, in scoping the development of all year-round accommodation for rough sleepers, pending their move on into secure housing, with the provision of emergency pods for immediate access.

The council provides funding to the Rainbow Centre in Sandgate Road, Folkestone, to enable them to provide a range of support services to vulnerable people with a history of rough sleeping or who are living in insecure accommodation. People assisted through the service during the year are then being helped into longer term accommodation.

The council provides funding to the Rainbow Centre in Sandgate Road, Folkestone, to enable them to provide a range of support services to vulnerable people with a history of rough sleeping or who are living in insecure accommodation. People assisted through the service during the year are then being helped into longer term accommodation.

The council also supports the Rainbow Centre to deliver the Winter Shelter project, providing emergency accommodation to vulnerable homeless people during the winter months. The project provides 13 units of accommodation. A total of 21 people were supported through the project over the winter 2022/23. The project also continues to support clients once they move on into longer term accommodation.

Engagement with local Armed Forces Community

The Folkestone & Hythe District has a long tradition of cooperation between its civilian community and the local armed forces. In 2022/23, engagement activities continued to support the local armed forces community which includes those serving, in the regular or reserves, veterans and their families.

The council continues to support the Gurkha veteran community in Cheriton at their community centre on the ground floor of the library building. The centre is run by the Folkestone Nepalese Community (FNC), a charitable incorporated organisation and includes welfare support office, a meeting room, event and socialising spaces, and an IT room.

The council's Armed Forces Lead Officer (AFLO) has attended a range of meetings, briefings, training and events throughout the year, including Kent & Medway Armed Forces Lead Officer meetings, Unit Welfare Officer meetings and the Kent & Medway Civilian Military Partnership board meetings. On 7th June 2022, the district hosted the eighth annual Kent & Medway Civilian Military Armed Forces Covenant Conference at The Leas Cliff Hall in Folkestone. The event was attended by more than 150 people, including the Lord Lieutenant of Kent and Chair of Kent County Council and Col John Baynham of 11 Brigade serving and former personnel from all the services, public sector and other organisations, including service charities. The theme of the day, organised by the Kent & Medway Civilian Partnership Board, was promoting a greater understanding and awareness of the needs of the armed forces community. Service children, housing, homelessness, employment and service charities were all discussed. There was also an update on the new Armed Forces Act and what it means in practice.

The AFLO attended the Armed Forces Network (AFN) conference in Brighton in May. The AFN also delivered training to front line staff on the new Armed Forces Act that came into force in November 2022 and includes a new legal duty for the council to consider the impact on the armed forces community in the provision of public services and in developing policy and procedures.

The AFLO also supported a Second Battalion Royal Gurkha Rifles community day at MacKenzie Drive Community Centre for the families who had just arrived from Brunei.

Engagement with the wider community

The council hosted the annual 'Meet the Funders' event on 22nd September 2022. The event attracted over 80 attendees who had the opportunity to hear from funders including the National Lottery Community Fund, Kent Community Foundation, Crowd Fund Kent and Roger De Haan Charitable Trust. Attendees were able to book 15-minute face to face meetings with funders to discuss their project funding needs.

Community networking events were scheduled in July 2022 (Cost of Living Crisis) and November 2022 (Mental Health).

01 Our Achievements and Engagement Activities

Engagement with the wider community (Continued)

Three half-day training sessions were delivered online: 'Setting Up Your Group' in May 2022 and 'Running Your Group' in December 2022—with very positive feedback received on both sessions.

The council continued to support the District Food Network (DFN). The Network is chaired by an independent member of the community working with the Rainbow centre.— The group meets once every two months and has supported delivery of the Community Fridge, the Hythe Pantry and other food-related projects, including supporting the delivery of UKSPF (UK Shared Prosperity Fund) work. The group also updated the 'Food Resources in Folkestone & Hythe' guide. In February 2023, we supported the Food For Thought workshop at Three Hills which brought together organisations to network and to discuss food poverty reduction initiatives including plans for the mobile foodbank to agree locations etc.

In July 2022, the DFN attended the Hythe Community Fun day (working with the Hythe community hub and NHS). The requirement from health agencies to support with food poverty work and eat well for less promotion was incorporated in this and an additional input was given on food poverty at the NHS's Cancer skin care awareness day at Sunny Sands beach in Folkestone in August 2022.

In May 2022, the White Cliffs Community Rail Partnership (WCCRP) (a partnership with Dover District Council) organised a successful stakeholder event—at Westenhanger Castle attendees heard about the partnership's projects over the last year and plans for the future.

The WCCRP also held four Christmas wreath making events at Folkestone West, Folkestone Central, Dover and Deal stations to promote the partnership.

The council supported the Winter Well event at Folca on 12th November 2022. Led by the NHS, people had the opportunity to engage with various health and wellbeing stallholders and pick up a free winter coat. It was a very successful event for which we won an award for collaborative working from Health watch.

The council organised a Welcome to Ukraine event at Quarterhouse in September 2022.

The council supported the Community Led Housing annual conference in May 2022 which aims to encourage Community Led Housing projects.

Annual Grant Funding

The council has continued to support charities, the voluntary and community sector through grants.

During 2022/23, 168 Ward Grants, totaling over £89,000, have benefitted local charities and community groups, further enhancing the council's involvement with local communities, and assisted with the delivery of efficient and effective projects and services to ward areas.

The council also commenced a partnership with KCC on the Crowd Fund Kent scheme, contributing £30,000 to support local projects that join the scheme.

In the winter of 2022/23, the council successfully applied to UK Power Networks for £27,300 funding to support 4 strategic warm spaces in the district. This funding enabled the 3 community hubs across the District and the Folkestone Nepalese Community Centre to give the community much needed support through the cost-of-living crisis, felt particularly acutely through the winter months. This included distribution of items such as slow cookers and heated blankets (via UK Shared Prosperity Fund funding) and provision of hot drinks and food etc. A cost-of-living summit was held on 20th September 2022 involving many local organisations. Working with the welfare team a cost-of-living booklet was devised as a result. This gave information on a range of support for those struggling to meet the costs of daily life. Some seed funding was provided to churches and other groups to run warm spaces and other organisations supported warm spaces.

In 2022-23 annual grant funding was renewed by the council for the following community organisations. Many have adjusted their activities to deliver online services when the coronavirus lockdown occurred:

- **The Sports Trust:** To provide accessible sports and play-based facilities and activities within the district, focusing on reducing health inequalities and engaging children and young people in order to encourage healthy lifestyles as well as reduced anti-social behaviour. The Sports Trust continues to provide a large variety of sporting experiences across various sites including the Urban Skate Park F51.
- **Folkestone Sports Centre Trust:** To provide accessible sports and wellbeing facilities and activities for all age groups within the district. The trust has been involved in various community-based wellbeing programmes, and in May 2022 embarked on a new pilot project funded by FHDC and in collaboration with a housing provider specialising in rehabilitation of substance misusers. The results were recognised by the Kent and Medway Adult Safeguarding Board in an audit of activity as best practice. Those completing the programme provided feedback stating the programme had given them structure to their days and significantly improved their physical and mental health.

01 Our Achievements and Engagement Activities

Annual Grant Funding (Continued)

- **Active Sport Kent:** To improve access to sports clubs and coaching activities across the district. The partnership ran conferences and webinars and provided support and guidance to sports clubs and leisure providers on how to access funding.
- **Citizens Advice Bureau (CAB):** To deliver debt, legal, housing and consumer advice on the council's behalf and working closely with council teams. The CAB was extremely busy addressing problems of hardship and dealing with residents adversely affected by the cost-of-living crisis.
- **Academy FM:** To support a community radio station which promotes the district, works with young people, aids community interaction and raises awareness of local issues and activities. The station continued to promote local initiatives.
- **Red Zebra:** To support the running of volunteer networking sessions across the district to increase volunteering, support the voluntary and community sector as well as improve health and wellbeing. Red Zebra delivered a number of these sessions online.
- **Folkestone Quarterhouse:** To deliver a programme of visual, performance and musical arts, educational and performance activities to families, schools and hard to reach groups in the district. Although the Quarter House was closed due to the pandemic, Creative Folkestone were able to deliver online services including projects with schools and other organisations. The range of online projects increased and other events took place in the community as services returned back to normal.

In December 2021 the council also agreed to join the Crowdfund Kent scheme that was launched previously by Kent County Council in February 2021 to contribute match funding to local projects that participate via the Spacehive Crowdfunding platform. In early 2022, the details were agreed and a partnership was established with Kent County Council. The Spring 2022 round closed at the end of April 2022 and the district council's contributions were agreed in May/June so will feature in next year's report covering the 2022/23 year.

The council continues to support the Crowdfund Kent scheme that was launched by Kent County Council to contribute match funding to local projects that participate via the Spacehive Crowdfunding platform. Some of the funded projects the council contributed to in 2022/23 include:

- Touchbase Community Garden, providing improvements to an outdoor space for people with disabilities and neuro-diverse conditions, including creating a sensory garden, to improve wellbeing.
- Folkestone Sea Sauna, which aims to promote exercise in the district by making sea swimming more accessible and affordable.

- Tables for Sellindge Sports and Social Club, allowing the club to restart events and activities paused during the pandemic, particularly focusing on encouraging vulnerable people to participate in activities and reduce loneliness.

Folkestone & Hythe Community Safety Partnership (F&H CSP)

During 2022/23 the statutory F&H CSP continued to meet virtually and progress key activity including the administration of Police and Crime Commissioner (PCC) funding to deliver projects to vulnerable and diverse communities across the district. These included:

- Ask Angela Safe Spaces - We have worked with Bouverie Place to Develop a safe place for members of the public. This started from a conversation with Bouverie Place to provide safeguarding awareness and support due to it being a risk location for suicides. Shops have joined the scheme and we have created a safe space for people to access for any reason they may need.
- PREVENT Safety Bus - Engaging with young people providing online safety awareness and guidance.
- Year 9 Safety Conference at the Leas Cliff Hall in Folkestone. We engaged with over 900 young people, providing awareness and support from PREVENT, Violence Reduction Unit (VRU), Kent Police, and Domestic Abuse awareness..
- Urban Pastors – continuing to carry out night time sweeps of key locations to address Anti-Social Behaviour (ASB) and any support needed for vulnerable people they may have come across.
- Ongoing engagement and support to homeless individuals throughout the pandemic and liaising with appropriate agencies.
- Ring door bells to support victims of domestic abuse through working partner relationships with HomeStart and the Rising Sun.
- Collaborative working with Kent Police's Violence Reduction Unit (VRU) to support the police with the provision of knife wands (to detect people who may be carrying concealed weapons) for premises such as pubs. In addition to support, education awareness we also regularly monitor and empty the Knife Bins in District.
- Safety in the Night time Economy – Collaboratively working with Kent Police We supported Kent Police with the rollout of the 'Best Bar None' scheme, visiting landlords, providing packs and awareness. Carried out additional nighttime economy joint patrols with Licensing, Police and Community Safety unit teams across the Christmas period of 2022/23.

The Community Safety Unit (CSU) has also continued to help to deliver a number of successes - such as implementing closure orders on premises where antisocial or criminal behaviour is taking place, tracing missing persons and tackling homelessness - through the close partnership working that these meetings enable.

The CSU are also planning to bring back the Local Engagement Meetings starting in April 2023, to engage with Members of the Public. These are held Quarterly across the District where anti-social behaviour trends are discussed and what is being done to resolve the concerns.

01 Our Achievements and Engagement Activities

Napier Barracks

The Use of Napier Barracks continues and partner agencies worked with the managing agents to deal with issues such as littering and Anti-Social Behaviour. The site is largely settled and ongoing education continues. NGO groups provide a range of activities on site and this has included growing of vegetables on site and residents have carried out volunteering in the community through the year including, cleaning, supporting community gardens and cooking at Church venues.

Additional pressure from the use of two hotels to house Unaccompanied Asylum-Seeking Minors (UASC) continued to be managed. The work to ensure young people were safe and occupied with activities continued. In November 2022 an asylum hotel for adults was opened up in Folkestone and this prompted additional community reassurance work to be carried out. In January 2023 an Asylum webinar on the use of hotels as temporary accommodation was held. The Council hosted a visit from the District Council Network on 22.01.23 to look at the hotels estate in the District and addressed both the National and local challenges this created.

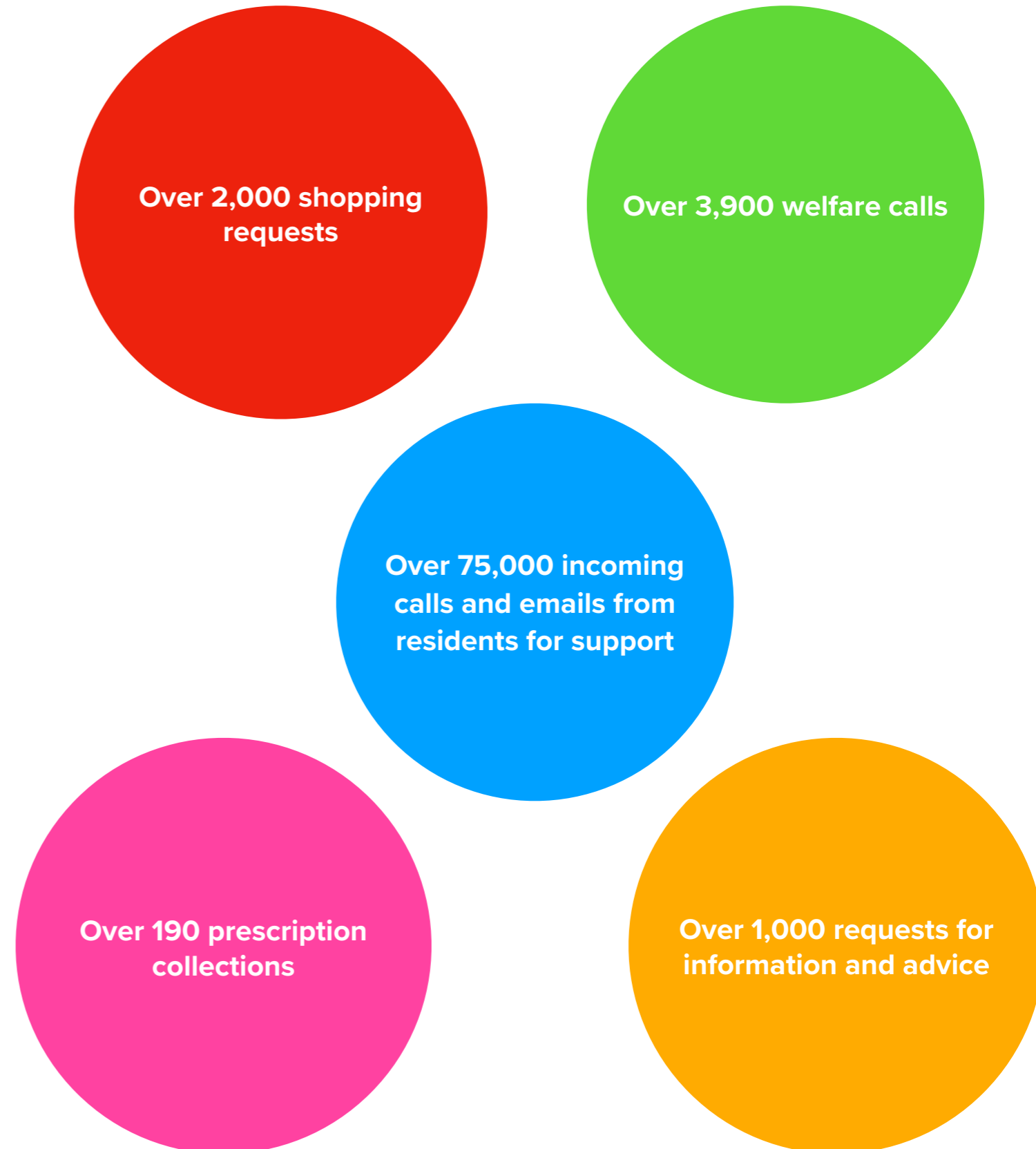
Community Hubs

The three community hubs based at: **Folkestone:** being run by Age UK South Kent Coast; **Hythe:** being run by Age UK Hythe & Lydinge; and Romney Marsh: run by the Romney Marsh Community Hub have continued to provide support to people within the district in a variety of ways, including:

- Hosting partner agencies and events; for example, digital inclusion events, drop-in sessions by Council welfare officers to assist vulnerable people fill in Household Support Fund forms, Dementia Cafes, etc.
- Assisting in the development activities as part of the District Food Network and supporting the delivery of UKSPF projects including distribution of items such as slow cookers from the Home Essentials element of the work (managed by the welfare team).
- Helping with work to support Ukrainian refugees, including continuing with hosting drop-in sessions, and distributing mobile phones and sim cards for the council.
- Providing food and fuel vouchers and other support to vulnerable people through their own funding streams as well as supporting Council initiatives.
- Signposting clients to support with cost-of-living issues and other support (e.g. sign posting to mental health support as well as continuing to build networks to expand focus). The hubs provided emergency support over Christmas 2023 and ran a toy appeal.

- The hubs have been integral to running the warm spaces initiatives.

In 2022/23, the community hubs dealt with:



Section 2

Understanding our Customers

Introduction

In this section we look at the council itself, how we are filling our statutory duties and how we are targeting our services to the particular needs of our residents.

02 Understanding our Customers

Equality Impact Assessments

Under the Equality Act 2010 there is no longer a requirement to produce Equality Impact Assessments (EIAs). However, the council believes it is good practice to have an EIA framework in place in order to fully consider any potential equality implications prior to making decisions. As such, the council is committed to ensuring that EIAs are completed when the council introduces or significantly revises a policy or service and that they are carried out in the correct manner, including, for example, appropriate consultation with affected parties.

EIAs are most often conducted when a new or significantly revised policy or service is set to be considered by elected Members, normally at Cabinet Committee stage. Further information, including copies of reports and associated EIAs, can be found at: <https://www.folkestone-hythe.gov.uk/moderngov/uuCoverPage.aspx?bcr=1>

During 2022/23 the council completed the following EIAs:

- **Folkestone – A Brighter Future.**
- **Changes to the Proof of Life Verifications Service**
- **Disabled Adaptations Policy**
- **Housing Decant Protocol**
- **General Fund Revenue Budget 2023/24**

In addition, all reports that are submitted to council Committees or the Corporate Leadership Team require comments on equality implications from the officer leading on equality and diversity. This further ensures that potential implications are considered prior to making decisions.

Understanding Our Customers through Consultation

Consultation provides an important means of understanding the needs of service users and local residents. It also allows the council to assess what impact decisions will have on different groups.

The following public consultations were undertaken during 2022/23:

- **Draft Statement of Community Involvement (SCI)**
- **Draft Community Infrastructure Levy (CIL) Charging Schedule**
- **Draft Green and Blue Infrastructure Strategy**
- **Polling District, Places and Stations Review**
- **Zone F extension to include roads in west of Radnor Park, Folkestone.**
- **Zone H extension to include the Trinity/Augusta/Westbourne Gardens Area, Folkestone**
- **New Controlled Parking Zone T- Prospect Road, Hythe**

- **New Controlled Parking Zone - West Parade Area, Hythe - (from Park Road- West Parade) - (scheme dropped after consultations)**
- **Folkestone – A brighter future**

Improving our Customer Experience

Customer Service Excellence

In September 2022, we successfully re-applied for the Customer Service Excellence (CSE) accreditation. The accreditation is a government standard developed to offer a practical tool for driving customer-focused change within organisations. The independent assessor continues to be very impressed with our commitment to deliver excellent customer service and awarded us 16 'compliance plus' scores as part of his assessment. This is the highest number of compliance pluses awarded to us in one go.

There were several areas of strength identified through the assessment and these included:

- The depth of information the Council has about its customers and potential customers; this was highlighted in the depth of understanding quickly developed about the needs of those coming from the Ukraine.
- There is a very strong sense of staff being one team across the Council, with lots of examples of cross-team working and collaboration across different service areas.
- The concept of the internal customer has become very evident and is helping staff to really understand what colleagues might need and expect from them.
- Consultation processes were seen to be very effective and very varied depending on the issue. A lot of evidence was seen to show very different processes being used for different consultations – e.g. Ship Street and East Cliff – and also imaginative methods employed – for example in the consultation processes around the Otterpool development.
- New and different ways of working have been developed where needed, including taking services out to communities effectively and imaginative work to support people who were impacted by P&O.
- Partnership working continues to grow and develop and to deliver real benefits for local people. Many examples were provided to show how this works in practice – for example the development of community hubs, run by local voluntary groups but supported by the Council's teams.
- There are several areas where Folkestone and Hythe are seen as an exemplar for others (e.g. work with armed forces, recruitment approaches, locally seen as experts in Customer Service and EDI) and they are sharing their good practice effectively with other Authorities.
- External awards and accreditations continue to evidence the good work that is being done – e.g. IRRV awards and short-listings and a positive first time OFSTED inspection.

02 Understanding our Customers

Improving our Customer Experience (continued)

Web Chat Service:

We have various mechanisms to support customers to access services and information, including the customer access point, telephone appointments, translation and British Sign language service on request and a visiting officer service for council tax and benefits.

Our Web Chat service continues to be a popular way to contact us and in 2022-23, 91.03% of customers who rated the service stated they were happy with the service they received.

Feedback for the web chat service is continually monitored and reflects how useful many of our customers find this service.

Some examples of feedback received, includes:

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I found this chat online very easy the staff are very helpful and sort all your queries and problems out very well. would definitely recommend to anyone"

"Super helpful, took the time to resolve my issue properly. Thanks"

- *"Excellent service and support as always"*
- *Very knowledgeable and professional service"*
- *10/10 very helpful and understanding!"*
- *Extremely helpful assistant with very quick and effective replies"*
- *"Very helpful solving my problems and being friendly. Pleasant experience."*
- *Lovely staff member who goes above and beyond"*
- *"The agent was very patient and helpful. Good service, much appreciated"*
- *"10 out of 10.VERY VERY VERY HELPFUL"*
- *"The agent I chatted with was very helpful and supportive. It's a good feeling to talk to someone who pays attention to any query and try and help as much as possible. Thanks for your brilliant service."*
- *I'm not the best at explaining myself, so it was great having staff that gave me the time & support."*
- *Very helpful and put my mind at ease Thank you"*

My Account and Website Accessibility:

We have continued to develop our online services to try and make 'digital' the interaction of choice by our customers by making it quicker and easier. This in turn saves processing time for some back-office staff as their systems are automatically

updated avoiding the need to rekey information. MyAccount is regularly promoted on social media channels and is continually improved to incorporate additional online transactions and the take up has remained steady, in addition a lot of work has been undertaken for internal customers to enable them complete online forms as opposed to sending emails to be processed. As at 31/03/23 there were 217 forms available to our customers and at the end of March 2023 69.14% of households had signed up for MyAccount.

The website platform has been replaced and we now use the JADU platform which brought with it improved functionality. One of the key benefits was an improved search capability which makes it easier for the customers to find the information they require avoiding the need to contact the council. The site is constantly reviewed to ensure it meets the Web Content Accessibility Guidelines (WCAG). A project was initiated, working the service areas, to review their pages for clarity and to ensure that the information on our website was relevant and up to date.

Welfare Team:

The work on identifying vulnerable customers has grown since 2019 and led to the creation of a dedicated welfare team trained to support customers and signpost them appropriately.

During 2022/23 the Council has been administering different Government funding streams to maximize and target support to the most vulnerable qualifying residents. The Council received 551 applications for Discretionary Housing Payments and made 377 awards during the year to a value of £244,238. Due to the demand and reduction in funding the Council utilised elements of Household Support Fund to ensure that support could be offered to households throughout the year as the Department for Work and Pensions (DWP) funding was not sufficient for demand. On top of this the team also received 895 applications for Financial Support Payments (for Council Tax) and made 567 awards, supporting residents with £252,717 in awards.

Government have also allocated additional funding to Councils to support vulnerable households under a new scheme called the Household Support Fund (HSF). This funding was for the purpose of supporting households who would otherwise struggle to buy food or pay essential utility bills or meet other essential living costs or housing costs. Eligible spend included food, energy and water payment support. It also included essentials linked to energy and water such as sanitary products, warm clothing, soap, blankets, boiler service/repair and purchase of equipment including fridges, freezers, ovens, etc. The first round of this ran in 2021/22.

02 Understanding our Customers

Improving our Customer Experience (continued)

Welfare Team (continued):

The second round of HSF ran from August to September 2022 and the Council received initial funding of £459,669. This scheme had a larger fund but different criteria under national guidance. Therefore, the funding from KCC had to be allocated as listed below:

- £364,150 – To support pensioners with energy bills or equivalent
- £95,519 – To support vulnerable households in accordance with the wider government guidance

To facilitate this the Council aimed to largely pay the pensioner element to qualifying households via payment into residents' bank accounts for this money to then be used to support the payment of increasing fuel prices. This included direct mail shots and telephone calls to identified households.

Food awards were issued in the form of food vouchers that residents could use in their local supermarket of choice. Essential awards were items such as warm clothing and bedding. The Council also continued to support residents with funding new boilers, beds and proving oil and gas to residents living off-grid.

The Council also received additional funding of £45,600 from KCC for HSF2 due to underspends in other areas of the spend outside Folkestone and Hythe. Some of this funding was used to run a carpet project to help fit homes that did not have sufficient flooring, helping with mobility, warmth, and energy costs in those homes. This was delivered to 8 homes that would otherwise not have had this support. As a response to these findings KCC are looking to run a county-wide carpet project using our experience to help guide the project. The breakdown of this support is listed below:

HSF 2 (August to September 2022)		
Awards spilt by household composition	Volumes	Spend
Households with children	336	£55,275
Households with pensioners	885	£360,925
Other households	310	£39,275
Other spend		£49,794
Total	1,531	£505,269

HSF 2 (August to September 2022)		
Awards spilt by category	Volumes	Spend
Energy & Water	850	£321,619
Food	599	£74,650
Essentials linked to food and water	34	£34,400
Wider essentials	30	£14,000
Housing costs	18	£10,806

Round 3 of HSF covered the period December 2022 to March 2023. For this round the Council received initial funding of £207,246. There was a priority for the allocation of food support during the winter months and the Council were also able to offer support through warm clothing.

Due to the reduction in Discretionary Housing Payment funding, elements of HSF3 also supported this scheme by enabling residents to afford their top ups or move to more affordable accommodation.

The Council also received an additional £43,000 in funding. Elements of this funding were allocated to support households in properties that are too large. These residents wanted to move but arrears on their rent accounts were stopping them from being able to move. By supporting these households, the Council has enabled 30 households to be able to move to appropriately-sized homes and free up larger properties for families that need them. The breakdown of this support is listed below:

HSF 3 (December 2022 to March 2023)		
Awards spilt by household composition	Volumes	Spend
Households with children	1,005	£103,707
Households with pensioners	146	£13,900
Households with a Disabled person	304	£55,743
Other households	427	£65,448
Other spend		£11,448
Total	1,882	£250,246

02 Understanding our Customers

Improving our Customer Experience (continued)

HSF 3 (December 2022 to March 2023)		
Awards split by category		
Energy & Water	0	£0
Food	1,320	£142,925
Essentials linked to food and water	0	£0
Wider essentials	294	£18,300
Housing costs	144	£77,573

The Council also operate as an official referral agent to the KCC fuel scheme, referring every application for HSF for further support through the county-wide support scheme.

The Council successfully bid for funding from the UK Shared Prosperity Fund (UKSPF). The welfare team administer the element of this funding that focusses on interventions to reduce the cost of living, including through measures to improve energy efficiency, and combat fuel poverty and climate change. Elements of this scheme have been developed following smaller projects and demand through previous rounds of HSF such as the bed project, boiler support and provision of white goods. These areas have also been identified when liaising with residents and partner agencies, demonstrating that the scheme is being delivered in response to resident need.

The scheme is individually funded for each year and will close at the end of March 2025. Much like HSF, there is an application process hosted on the Council's website. The Council also uses its own data to potentially identify eligible residents for support.

Folkestone Community Works

The Folkestone Community Works programme area has continued operating to address issues faced by the most vulnerable in the district by funding projects that are working to improve access to services and opportunities for businesses and residents within the Central and East Folkestone wards (as the map in Section 1 shows, these are some of the most deprived areas of the district).

During the year, funded projects provided support to unemployed residents to assist them on their journey into work. This support included a project specifically focussed on young adults. In addition, professional entrepreneurial support was available for residents who decided their route to economic independence was through self-employment, or had a need to supplement their income by creating a 'table top'

business by using a skill or hobby to generate additional income. The easy access to e-commerce through eBay and other social media platforms has opened the door to everyone. This support helps residents to work through their ideas and understand how they could make it a reality by demystifying the process.

Existing businesses were continued to be supported through 1-2-1 advice and grants to navigate and adapt to the unusual and changing environment they are operating within, with the aim to retain and increase the number of employees.

Developing Our Staff

All staff are required to undertake specific equality and diversity e-learning on a regular basis. We also provide safeguarding training to ensure staff know how to support vulnerable people, and we deliver training on preventing extremism (in January 2023 Kent County Council delivered a session on Prevent to staff), which gives our staff an understanding of radicalisation and who can be drawn into it.

We support staff in understanding people with different support requirements and relevant staff members were trained in the following areas: Supporting Customers with addiction (Money Advice Trust); Understanding & Supporting Customers with Serious Illnesses; Self-Harm Awareness; Post-Natal Depression Awareness; Schizophrenia Awareness; Understanding Phobias. All staff were given the opportunity to attend 45 minute development sessions on: Menopause Awareness (October 2022) and Men's Mental Health (November 2022).

We now have 44 Mental Health First Aiders across the Council, including, most recently in our Grounds Maintenance team (c 9% of our workforce) so that we can better support staff and those customers struggling due to the cost of living crisis or other pressures they may be under.

In addition, we run a Management Development Programme on an ongoing basis and offer formal management qualifications that enable our middle managers and team leaders to understand how to further equality and diversity in the workplace and how best to work well with people from a variety of backgrounds. Recognising the demographic profile of our staff we offer a range of flexible development opportunities and put on shorter courses or split over different days to enable part-time staff to attend. We also avoid running training during school holidays to give our staff who are parents the best chance of being able to attend. We record our training and staff briefings to ensure everyone has the opportunity to access this information.

Section 3

Understanding Our Workforce

Introduction

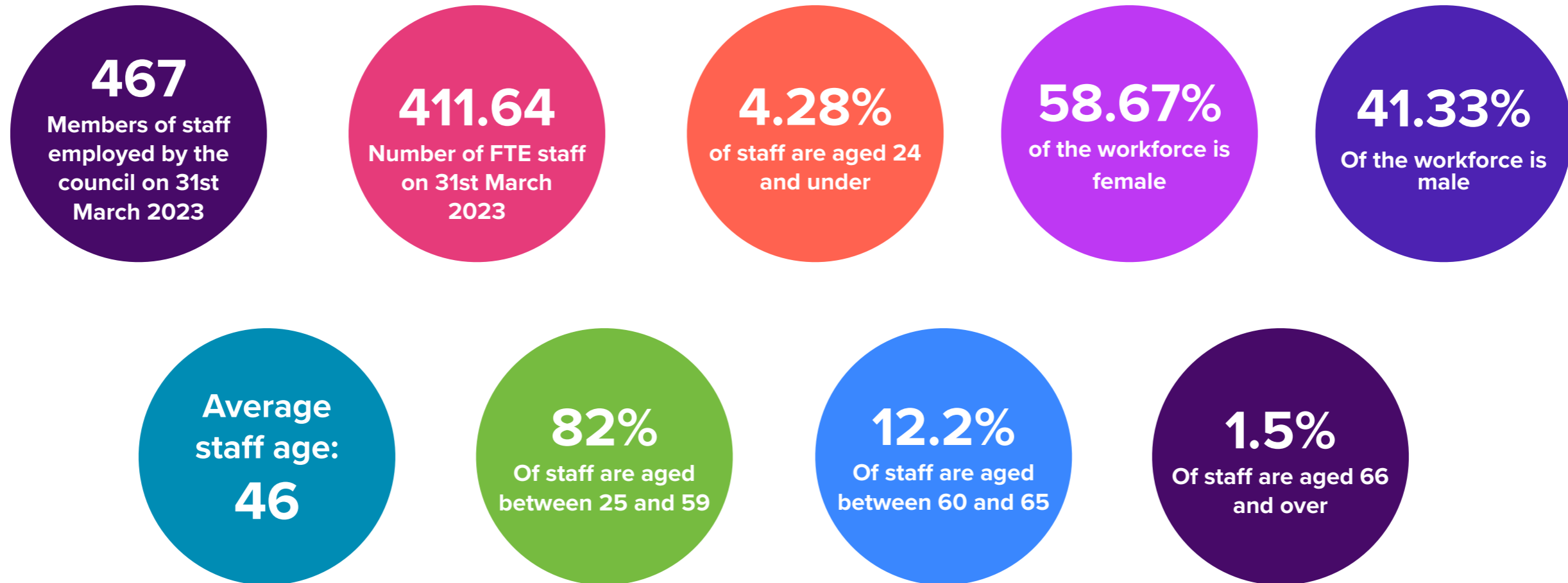
In this section we provide a brief overview of the characteristics of our own workforce.

On 31st March 2023 there were 467 members of staff employed by Folkestone & Hythe District Council. The number of full time equivalent staff was 411.64. Looking at the 2022/23 year as a whole, the average headcount was 468.5 and the average number of full time equivalent staff was 414.93.

03 Understanding Our Workforce

Folkestone & Hythe District Council - Workforce Profile

All figures used in the workforce profile below are as at 31st March 2023 and include staff the council directly employs.



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Number of staff by age and sex:

Age	16-19	20-29	30-39	40-49	50-59	60	Total
Female	1	25	57	68	89	34	274
Male	4	19	28	48	64	30	193
Total	5	44	85	116	153	64	467

03 Understanding our Workforce

Ethnicity and Disability

- 5.14% of the council's workforce have declared a disability.
- 86.08% of the council's workforce have indicated that they are from white ethnic backgrounds and 6.42% from black and minority ethnic groups. The remaining 7.50% have not declared their ethnicity.

Working Hours and Pay Grade

- 25.27% of the council's workforce are part-time and are contracted to work 36 hours per week or under.
- Analysis shows a correlation between sex and working hours. 77.97% of part-time staff are female. Analysis of sex, working hours and pay can be found on the gender pay gap reporting section of the council's website: [Understanding and reducing the gender pay gap | Folkestone & Hythe District Council \(folkestone-hythe.gov.uk\)](https://www.folkestone-hythe.gov.uk/understanding-and-reducing-the-gender-pay-gap/)

Turnover

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76 people left the council's employment during 2022/23. This represents a 'crude' staff turnover rate of 16.22%. The 'crude' turnover figure includes reasons such as redundancy (including voluntary redundancy) and those engaged on a casual, seasonal or short-term basis to, for example, provide maternity cover or support the annual electoral registration canvass. The voluntary turnover rate, which counts resignations and retirements only, was 12.81%.

Staff Grievances

There was one staff grievance raised in 2022/23, which was not equality related.

Year	Total	Equality Related
2015/16	0	0
2016/17	1	0
2017/18	1	0
2018/19	1	0
2019/20	1	0
2020/21	1	1
2021/22	0	0
2022/23	1	0

Policies and Practices

The council is committed to promoting equality and diversity through its employment policies and practices.

- Our robust recruitment processes and associated manager training ensure that employment and promotion practices are fair, non-discriminatory and support equality of opportunity.
- Our job evaluation process ensures we pay our staff fairly and equally through assigning the same pay grade to roles of equal value.
- The council has a People Strategy and Agile Working Framework in place to support our smarter, agile, working culture. Working flexibly is encouraged and supported, with the majority of staff having the ability to work flexible hours and in a range of locations including from home.
- Prior to recruiting externally, or seeking candidates for promotion, if a post is full-time we carefully consider whether it could be undertaken on a part-time or job share basis.
- Working part-time can impact on the ability to attend training courses, which may then impact on career progression. We therefore consider our training programmes carefully and offer a range of flexible development opportunities. When considering our training courses we increase accessibility by putting on shorter courses, split the training over different days, or record sessions so they can be viewed at any time.
- If members of staff have concerns these can be raised with managers, or formally through the council's whistleblowing or grievance procedures. Management training takes place to support equality, diversity and inclusion, and to ensure that any concerns are acted upon swiftly and appropriately.
- All staff undertake specific equality and diversity training when they first join the council and then on a regular basis thereafter. We also have a range of initiatives and learning and development activities aimed at furthering equality, diversity and inclusion. Further information on these can be found in the Developing Our Staff section.

Section 4

Understanding our Communities

Introduction

This section provides a brief overview of the characteristics of the district's population and draws comparisons with Kent and the wider South East. We outline the age profile of the district, the proportion of males and females in each age group, and how the population is likely to change over the coming years. We then go on to look at the ethnicity, religion and health of our communities. We finish by considering the economic profile of the district, including employment rates, income and deprivation.

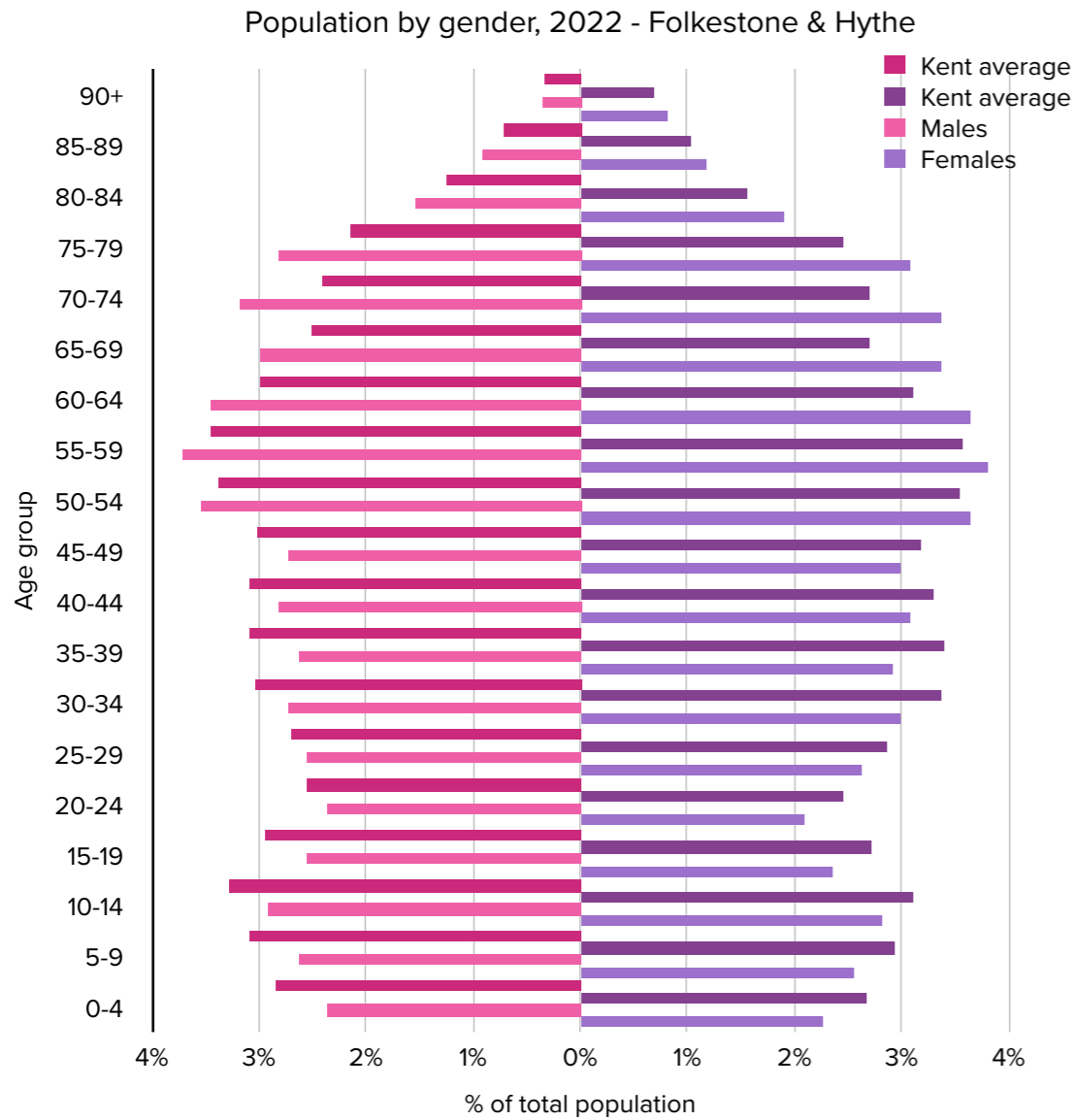
04 Understanding our Communities

Age and Sex:

Overview

In the graph below, blue shows the proportion of males in each age group and peach females. The blocked sections show the Kent average for each age group.

The average Folkestone & Hythe resident is 44.9 years old, which is the highest in the County when compared to with other local authority areas. The graph below shows the lowest average age to be in Dartford at 37.4 years old.

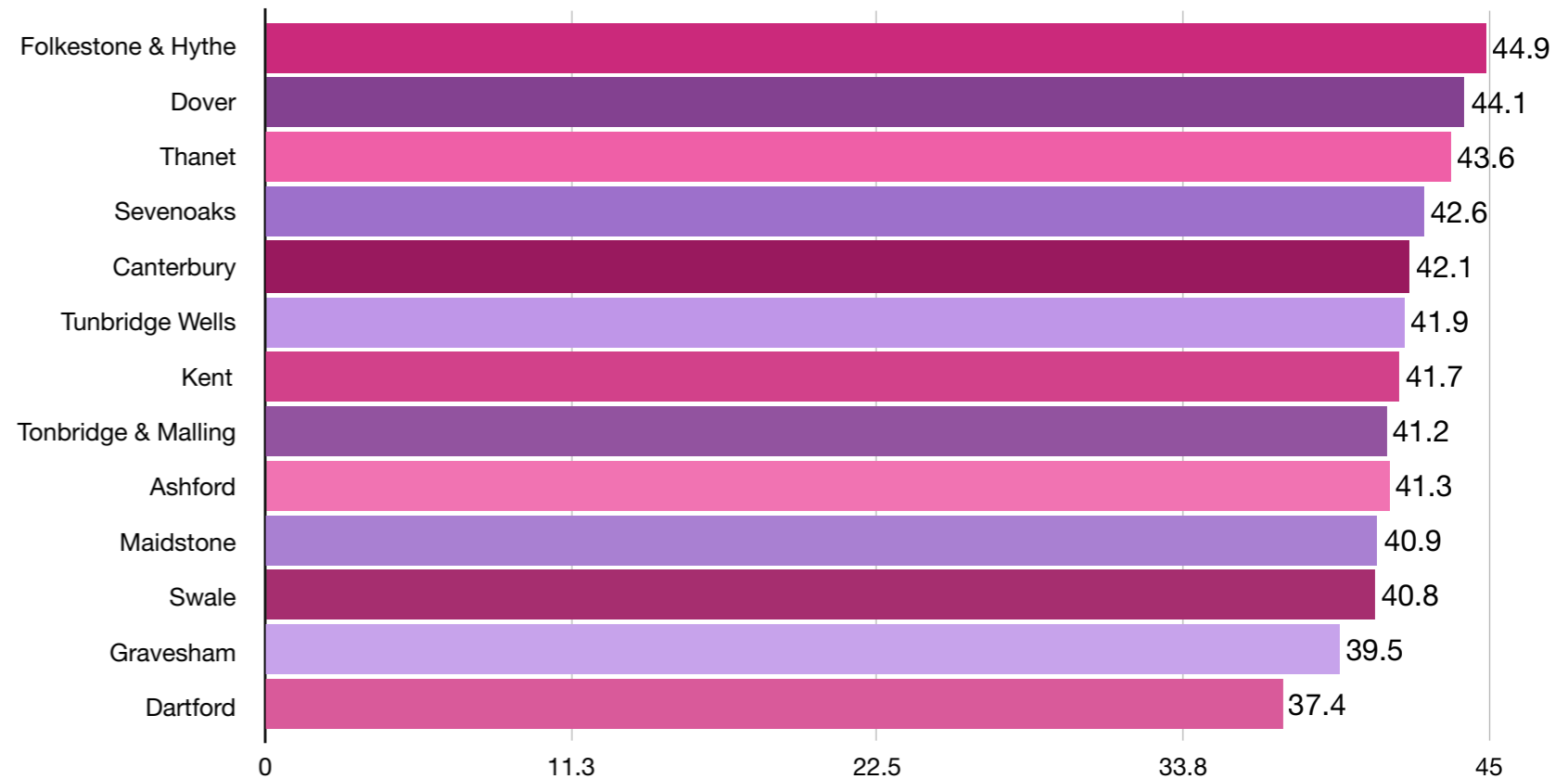


Source: KCC District Profile – ONS Mid Year Estimates - 2022

51.3% of Folkestone & Hythe’s population is female and 48.7% is male. This percentage breakdown is reflective of Kent as a whole.

The male to female ratio changes with age. There are more males under the age of 25 than there are females. From age 25+ there are more females than males.

Mean Age by Local Authority Area



Source: KCC 2022 Mid-Year Population Estimates: Age and sex Profile

44.9
years old

The age of the average Folkestone & Hythe Resident

Source: KCC District Profile – ONS Mid Year Estimates - 2022

37.4
years old

The average age of a Dartford Resident. The lowest out of all Kent local authority areas

Source: KCC District Profile – ONS Mid Year Estimates - 2022

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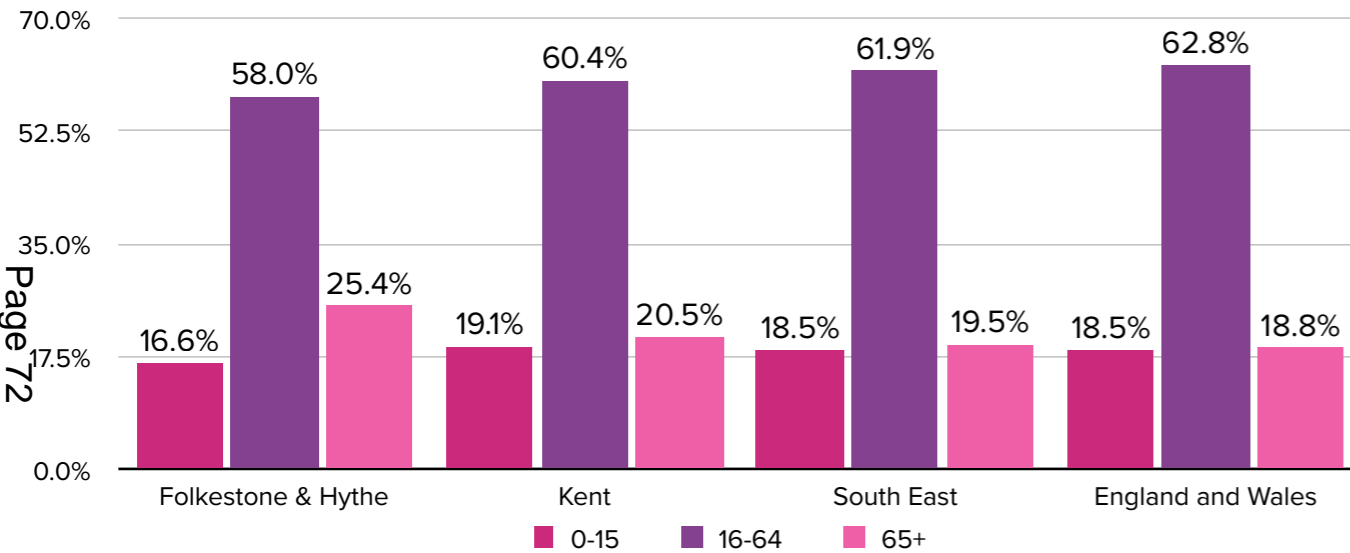
Age and Sex (continued):

The average male living in the Folkestone & Hythe district (at 44 years) is younger than the average female (45.9 years).

In comparison with regional and national figures, Folkestone & Hythe has:

- A lower than average proportion of residents aged under 15
- A lower than average proportion of residents of 'working age' between 16 and 64
- A higher than average proportion of residents aged 65 and over

Population by age group - Mid Year 2022 Population Estimates



Source: KCC District Profile / ONS, 2022 mid-year population estimates

Children and Young Adults:

Age group	No.	% of Folkestone & Hythe population	% of Kent overall*
0-3 – Early Years Children	4,000	3.6%	5.7%
4-10 – Primary Age Children	8,000	7.2%	5.9%
11-18 – Secondary age children	9,600	8.7%	6.1%

Source: KCC Interactive Population Forecast Toolkit - 2022

Working Age' Population (16-64):

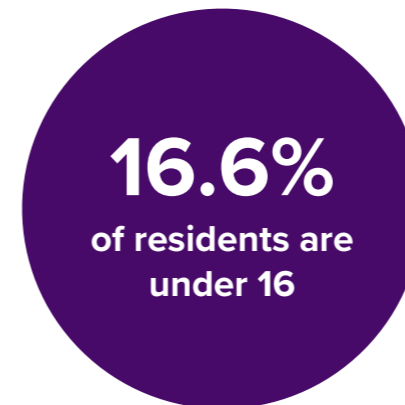
Folkestone & Hythe	Number	%
16-64	64,000	58.0 % of F&HDC residents are 16-64
Female	32,500	57.5% of females in the district are 16-64
Male	31,500	58.6% of males in the district are 16-64

Source: KCC District Profile – ONS Mid Year Estimates - 2022

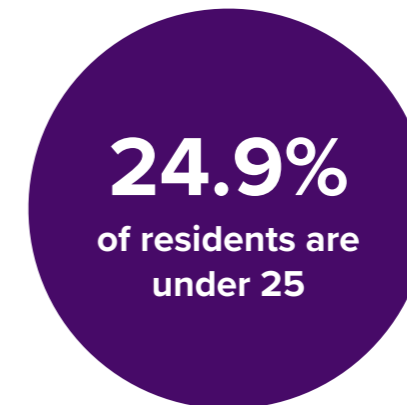
Older Population:

Age Group	Number	% of Folkestone & Hythe Population
65-69	6,900	6.3%
70-74	7,200	6.5%
75-79	6,500	5.9 %
80-84	3,800	3.4%
85-89	2,300	2.1%
90 and over	1,400	1.2%

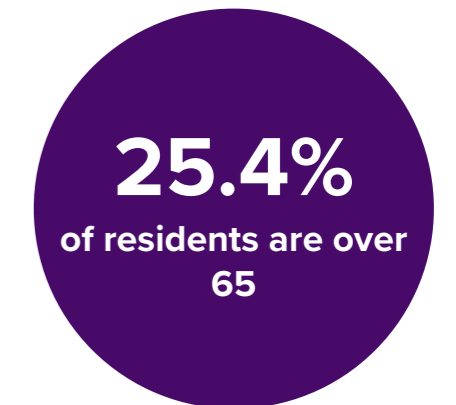
Source: KCC District Profile – ONS Mid Year Estimates - 2022



Source: KCC District Profile – ONS Mid Year Estimates - 2022



Source: KCC District Profile – ONS Mid Year Estimates - 2022



Source: KCC District Profile – ONS Mid Year Estimates - 2022

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Population Changes and Forecasts

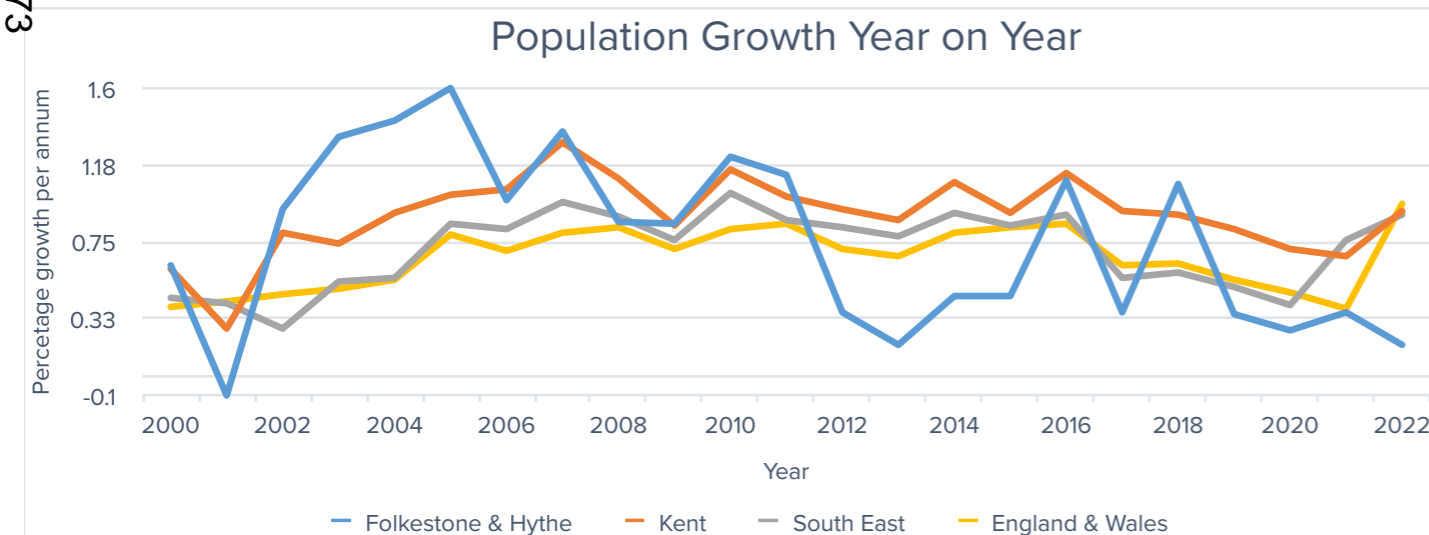
Historical Population Growth

The most recent population figures based on 2021 KCC housing led forecasts estimate that the population of Folkestone & Hythe was 115,300 in 2023. This accounts for 7% of the total population within the Kent County Council area.

In 2013 the population of Folkestone & Hythe stood at 108,800. In the ten-year period between 2013 and 2023, Folkestone & Hythe's population grew by 5.9%. This is, however, below regional and national averages.

Over the last 10 years (2012-2022) population growth across the south east has risen more quickly averaging 0.74% per annum in comparison to England and Wales, which averaged 0.64% per annum. Kent experiences higher annual growth in comparison, averaging a population increase of 0.77% per annum over the same time period. As a smaller geographical area, population growth in Folkestone & Hythe is much more sporadic, with localised factors a major contributory factor.

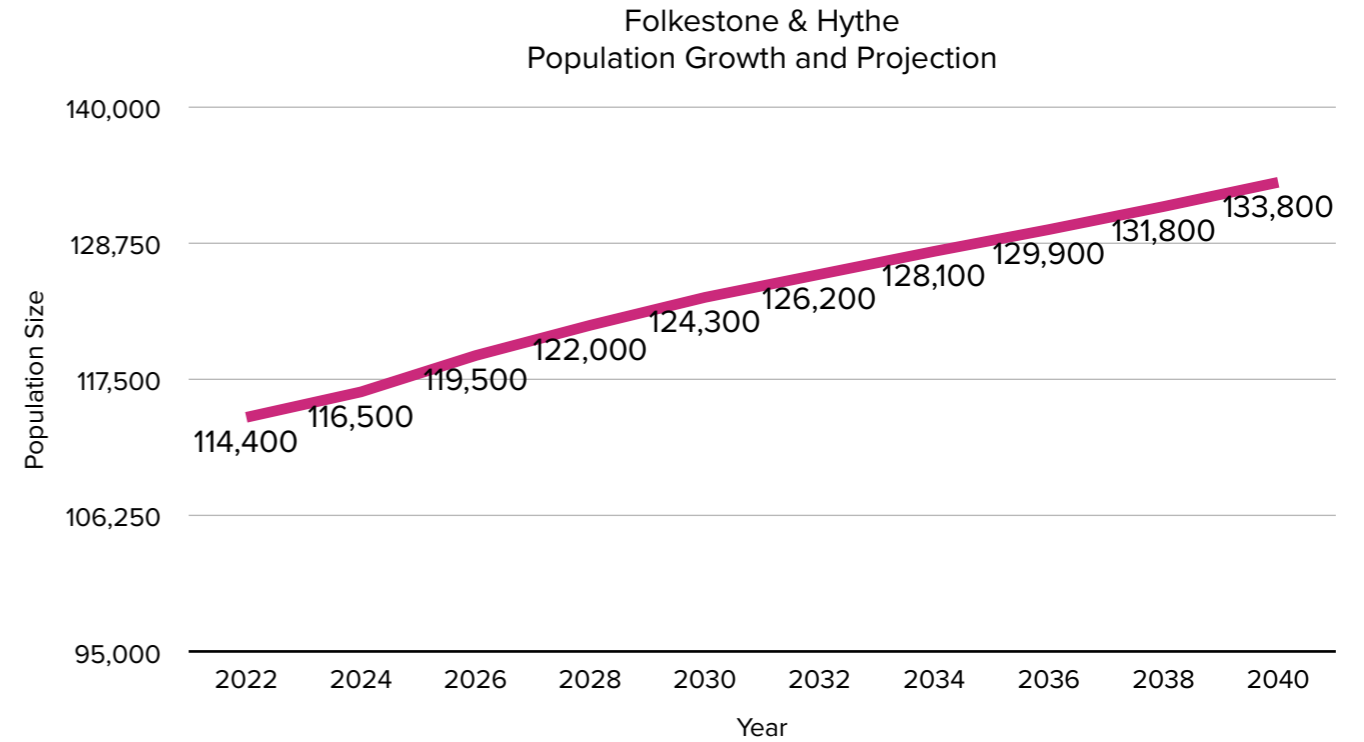
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Source: KCC Interactive mid-year population estimate toolkit 2021

Population Growth Forecasts

Folkestone & Hythe's population is forecast to rise by nearly 16.9% over the next 18 years, reaching an estimated 133,800 by 2040, while Kent as a whole is expected to grow by 18.1% over the same period. Estimates, however, do not take into account any future developments in the district.



Source: KCC Interactive Population Forecast Toolkit - 2021

Population Changes

Historically, Folkestone & Hythe's population growth has varied between different age brackets. In the 20 year period between 2000 and 2020 the most significant population growth was amongst those aged between 45 and 70, with residents in this age bracket increasing by 39.3%. The number of residents aged under 45, however has remained largely the same over this period, increasing by only 0.73%.

When considering residents over the age of 65 specifically, between 2000 and 2020 there was an increase of 45%, from 19,300 to 28,000 people. It is forecasted that this will increase by a further 14,400 over the subsequent 20 years, a rise of 50.8%. Conversely, the number of residents of 'working age' (between the ages of 16 and 64) are forecast to rise by 9.3% and those under the age of 15 are expected to shrink by 0.52%.

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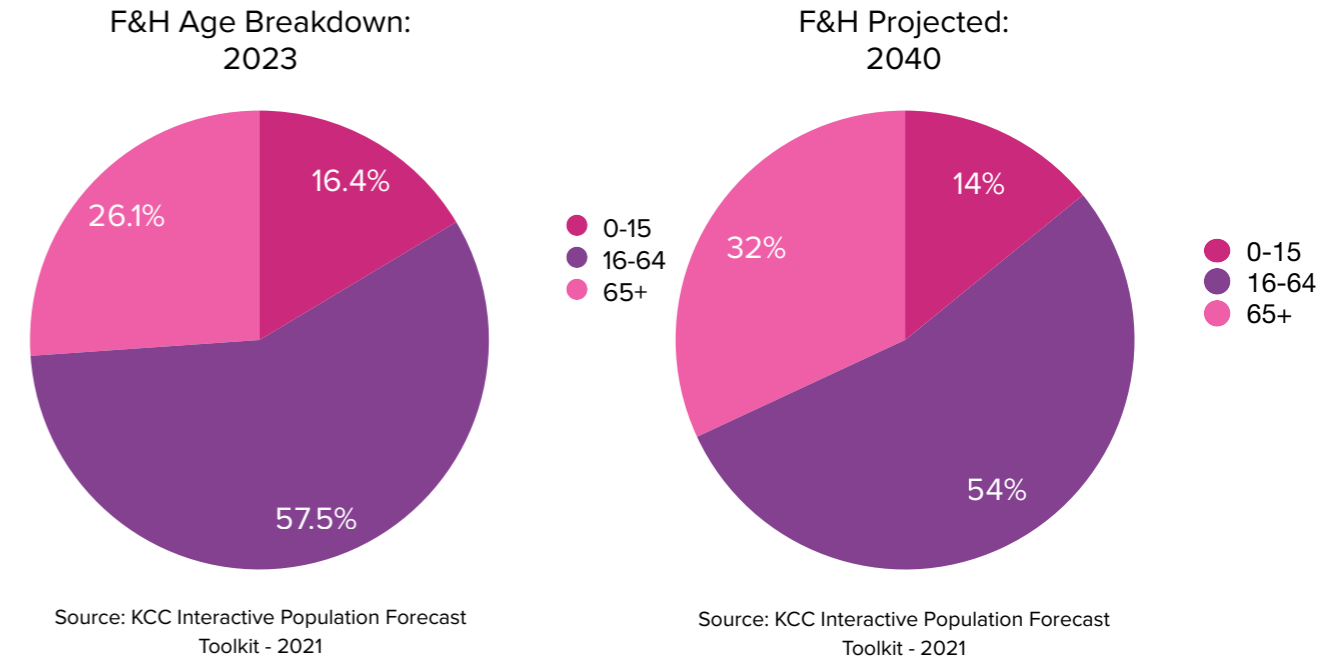
Population Changes

Current Population Projections: Folkestone and Hythe (2022-2040):

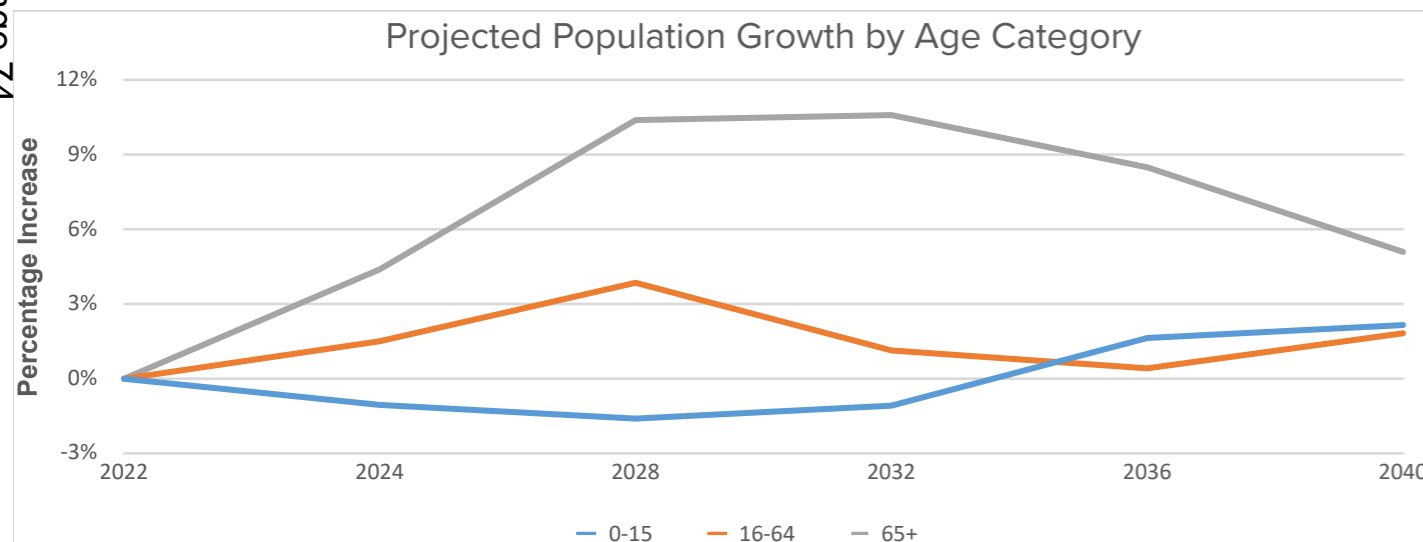
Year	Total Population	Age Group		
		0-15	16-64	65 and over
2022	114,400	18,900	66,200	29,300
2024	116,500	18,700	67,200	30,600
2028	122,000	18,400	69,800	33,800
2032	126,200	18,200	70,600	37,400
2036	129,900	18,500	70,900	40,600
2040	133,800	18,900	72,200	42,700

Source: KCC Interactive Population Forecast Toolkit - 2021

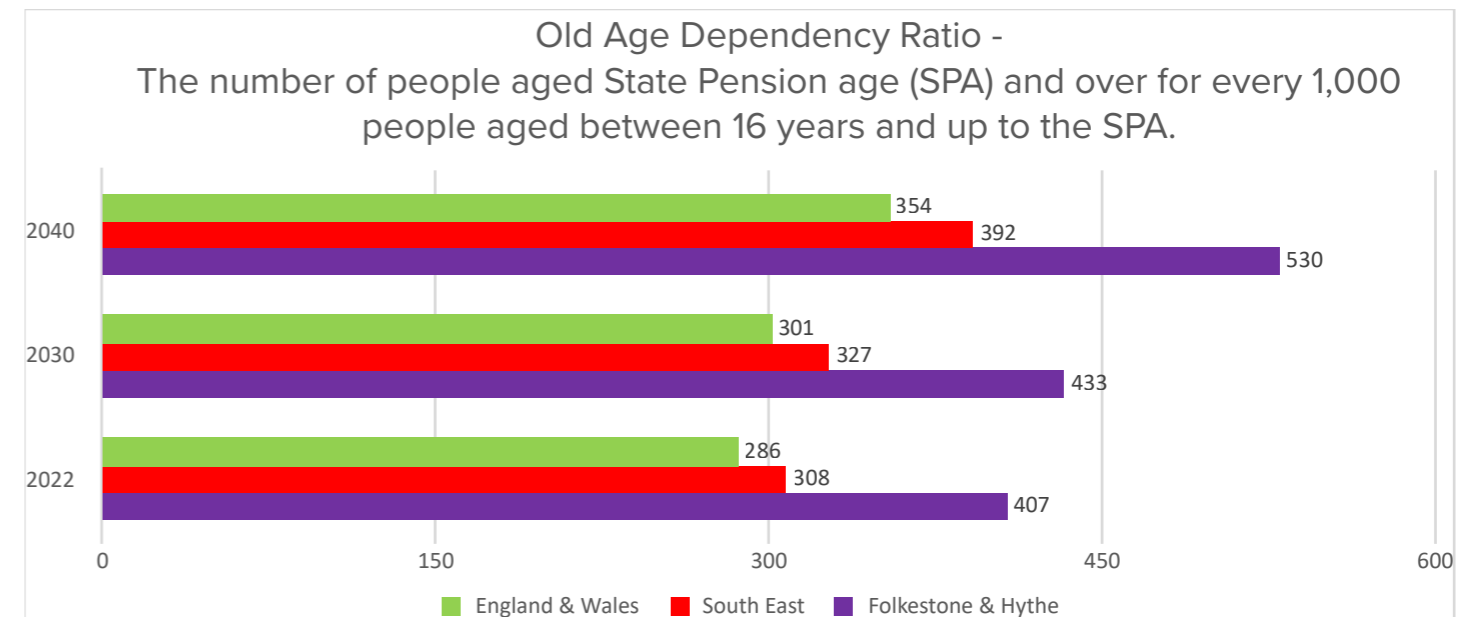
of the population over the age of 85, are notable rising from 4,000 in 2023 to 7,100 by 2040.



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The graph below shows that the number of people aged state pension age (SPA) and over for every thousand people aged 16 years up to the SPA (known as the Dependency Ratio) is projected to grow significantly faster for Folkestone & Hythe from 407 in 2022 to 530 in 2040 than for the South East region and England & Wales.



Residents over the age of 65 currently account for 25% of Folkestone & Hythe’s population. By 2040 this is expected to have increased by 6.9% a more significant increase than the 5.7% anticipated across Kent.

The concept of an ‘ageing population’ is, of course, not solely confined to the Folkestone & Hythe district and the Office for National Statistics (ONS) forecast continued growth in the proportion of the population aged over 65 across the UK. However, future estimates for Folkestone & Hythe, particularly relating to a proportion

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Population: Household Composition

The 2021 census reported 48,338 households in the Folkestone & Hythe district.

66.6% of households lived in accommodation that was owned (either outright, with a mortgage, or part-owned through a shared ownership scheme), 10.8% lived in homes that were social rented (including through F&HDC) and 22.5% lived in homes that were privately rented. The remaining percentage lived under other arrangements.

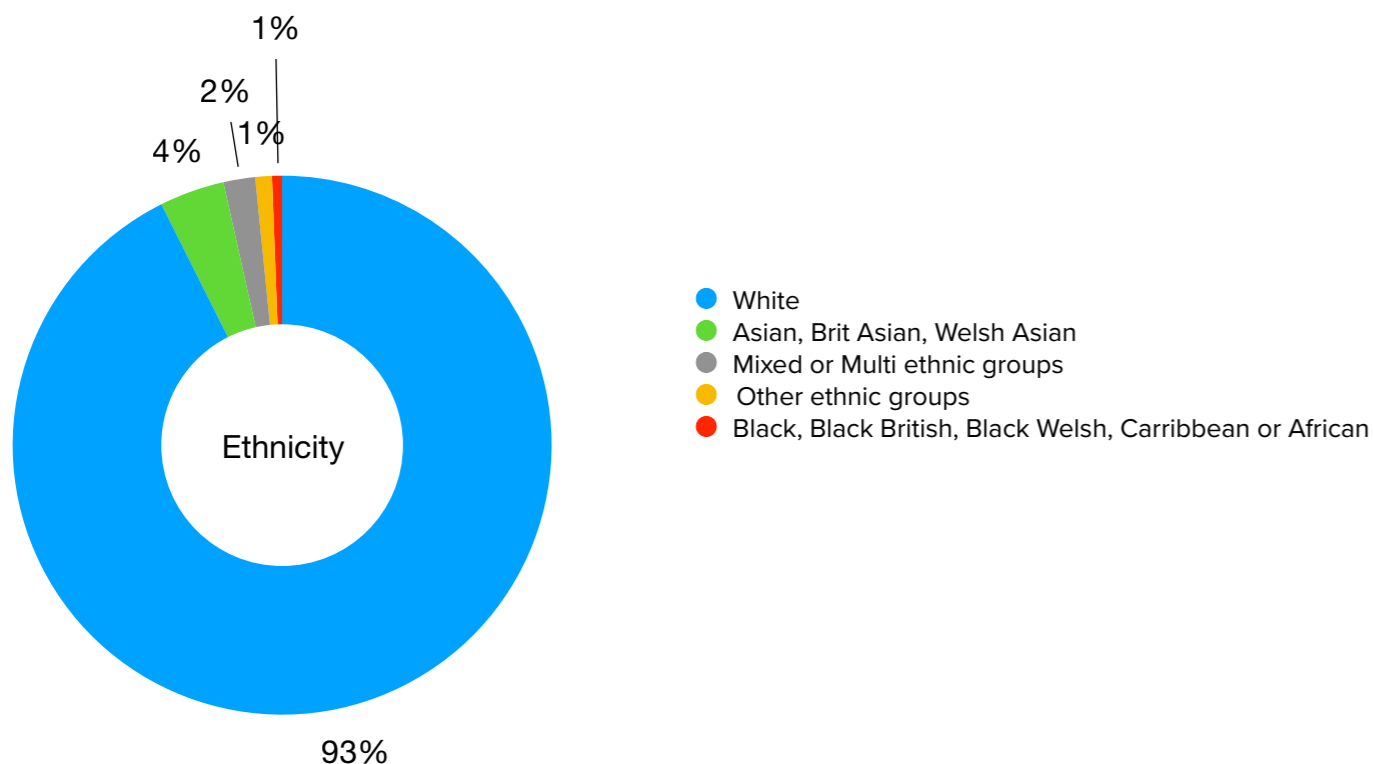
Nearly 70% of all households in the district were composed of one or two people.

Of the 48,338 households in the district, a third were one-person households. 45% of those that lived on their own were aged over 65.

The majority (61.8%) were single family households. The 2021 census classified these by the “type of family” (married, same-sex civil partnership or cohabiting couple family, or lone parent), by the number of dependent children, or recorded that all occupants were over the age of 65. 32.5% of households were one person households and 5.7% were classed as other household types. Source: 2021 Census.

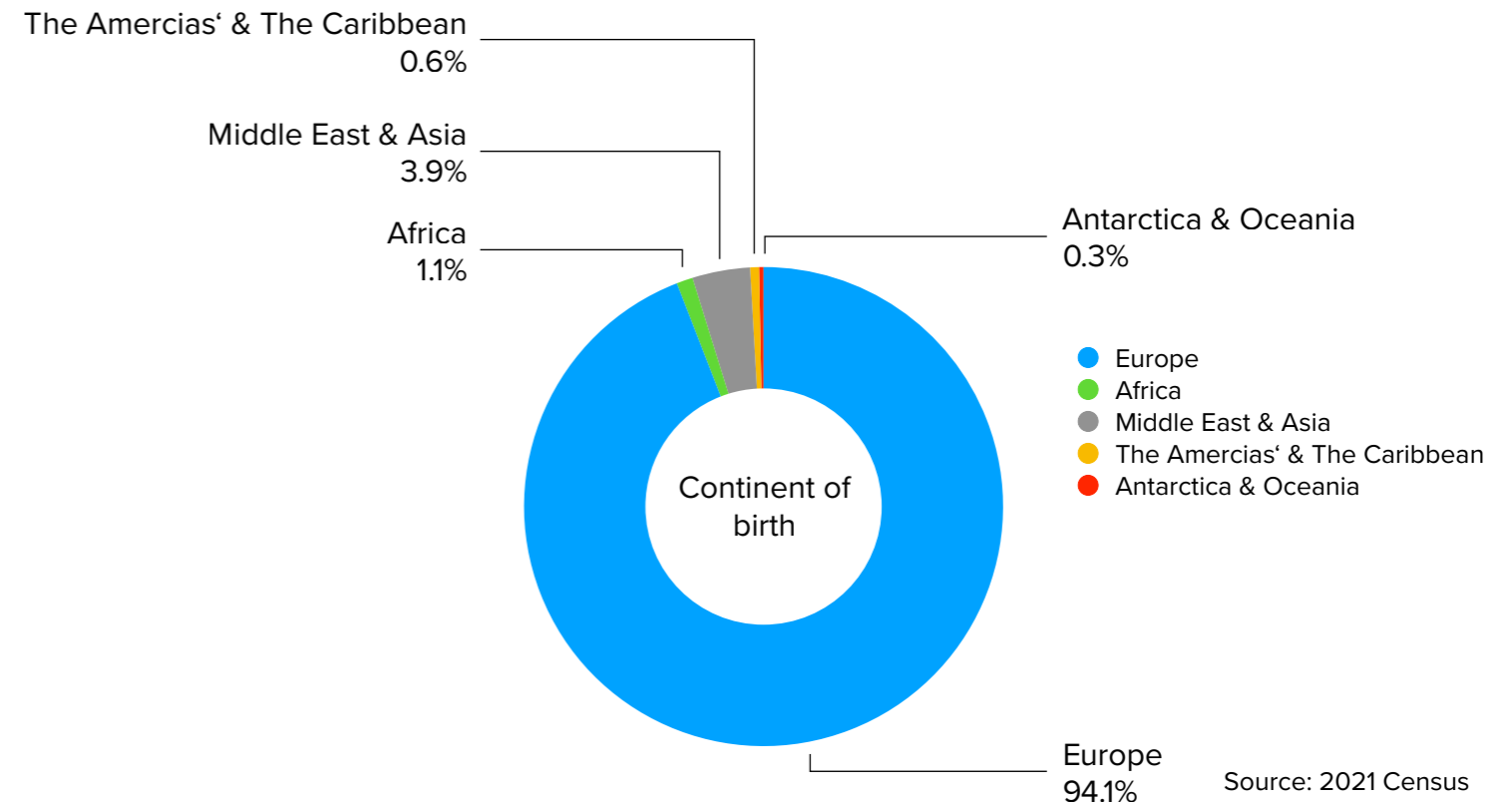
Ethnicity

The 2021 census shows that 92.6% of Folkestone & Hythe’s population are from white ethnic backgrounds followed by Asian, British Asian or Asian Welsh (3.9%), Mixed or multiple ethnic groups (1.9%), Other ethnic groups (1.0%) and Black, Black British, Black Welsh, Caribbean or African (0.6%), as defined by census category.



10.5% of Folkestone & Hythe residents were born outside the UK. 7% of those born outside the UK have been resident in the UK for over 10 years. The chart below shows the continent of birth for the district’s residents:

Folkestone & Hythe Residents: Continent of Birth



2.3% of households in Folkestone & Hythe do not contain any people that have English as their main language. This is lower than the national average (7.1%). Source: 2021 census

In 2021/22 a total of **1,657** households approached the council as homeless and made applications under Part VII of the Housing Act 1996. 1,345 (92%) applicants stated they were from white ethnic backgrounds and 25 (2%) from Asian ethnic backgrounds, 1% were from Black ethnic backgrounds, 2% from mixed ethnicity backgrounds and 16% did not state their ethnicity.

On 31st March 2022, there were 1,464 applications on the housing waiting list. Of these, 1,345 (92%) stated they were from white ethnic backgrounds, 25 (2%) from Asian ethnic backgrounds, 18 (1%) from Black ethnic backgrounds, 34 (2%) from mixed ethnicity backgrounds, 2 (0.1%) from Arab backgrounds and 41 (16%) did not state their ethnicity.

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A total of 308 applicants were housed in 2021/22. Of those housed, 288 (94%) were from white ethnic backgrounds and 7 (2%) from Asian backgrounds, 2 (0.6%) from black backgrounds, 1 (0.4%) from an Arab background. 4 (1%) were mixed ethnicity and 6 (2%) declared no ethnicity.

Religion

Of all residents in the district, the largest proportion (48%) declared that they were Christian in their religion. However, a significant proportion (41.8%) declared that they had no religion. Other faiths were less represented in the district population: 1.5% of residents declared that they were Hindu, 2% Buddhist, 1% Muslim and 0.1% Jewish.'

Source: 2021 Census

Health

Overview

6.5% of Folkestone & Hythe residents describe their health as bad or very bad. This is slightly higher than the national average (England 5.2%).

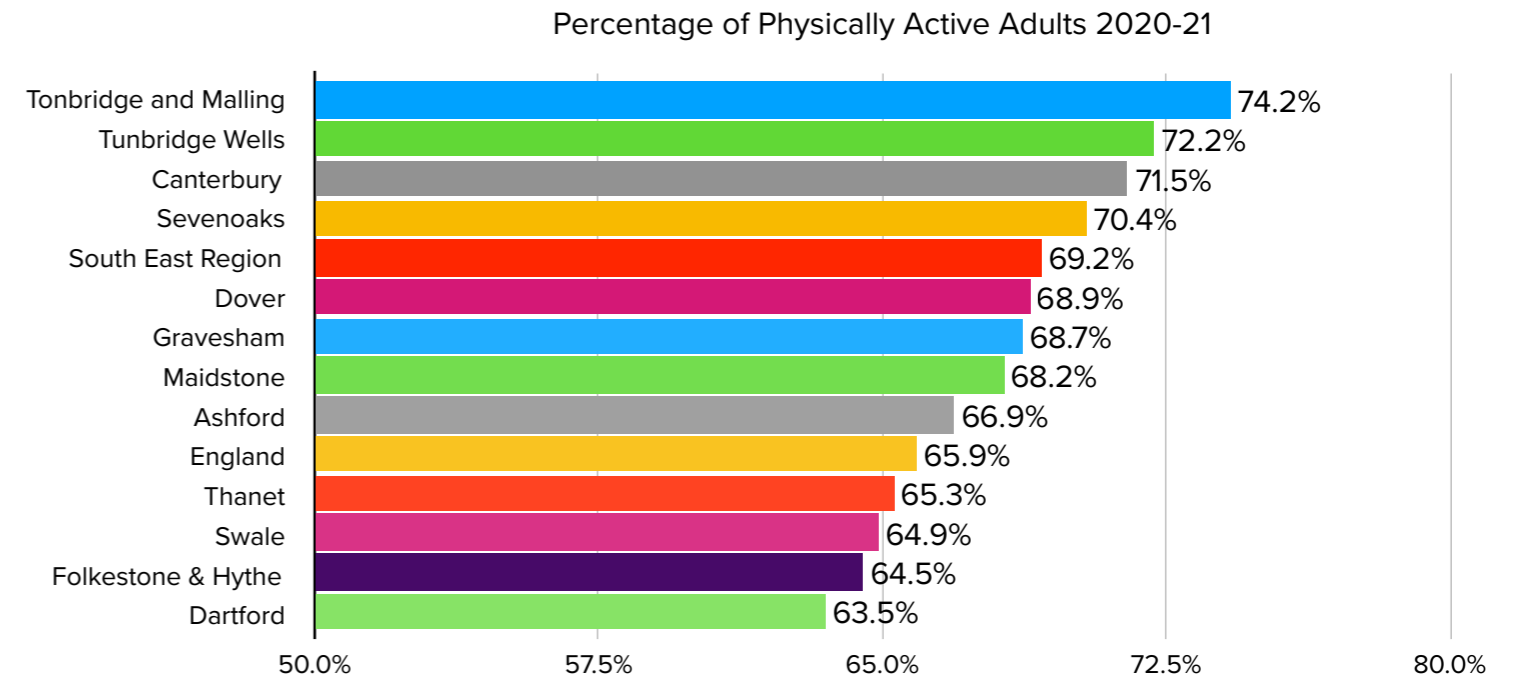
Over 20% of those that live in the district are recognised as disabled under the Equality Act. This is higher than Kent (18%), south east (16%), and national (England: 17%) comparisons.

Source: KCC District Profile: 2021 Census

The data on physical fitness, obesity, alcohol-related hospital admissions, self-harm and smoking prevalence set out on, were sourced from the latest Public Health England's - Public Health Outcomes Framework:

Physical Fitness

In 2020-21 64.5% of Folkestone & Hythe adults were classed as 'physically active' below the English national average. The following graph sets out how Folkestone & Hythe compares with other Kent Local Authority areas:

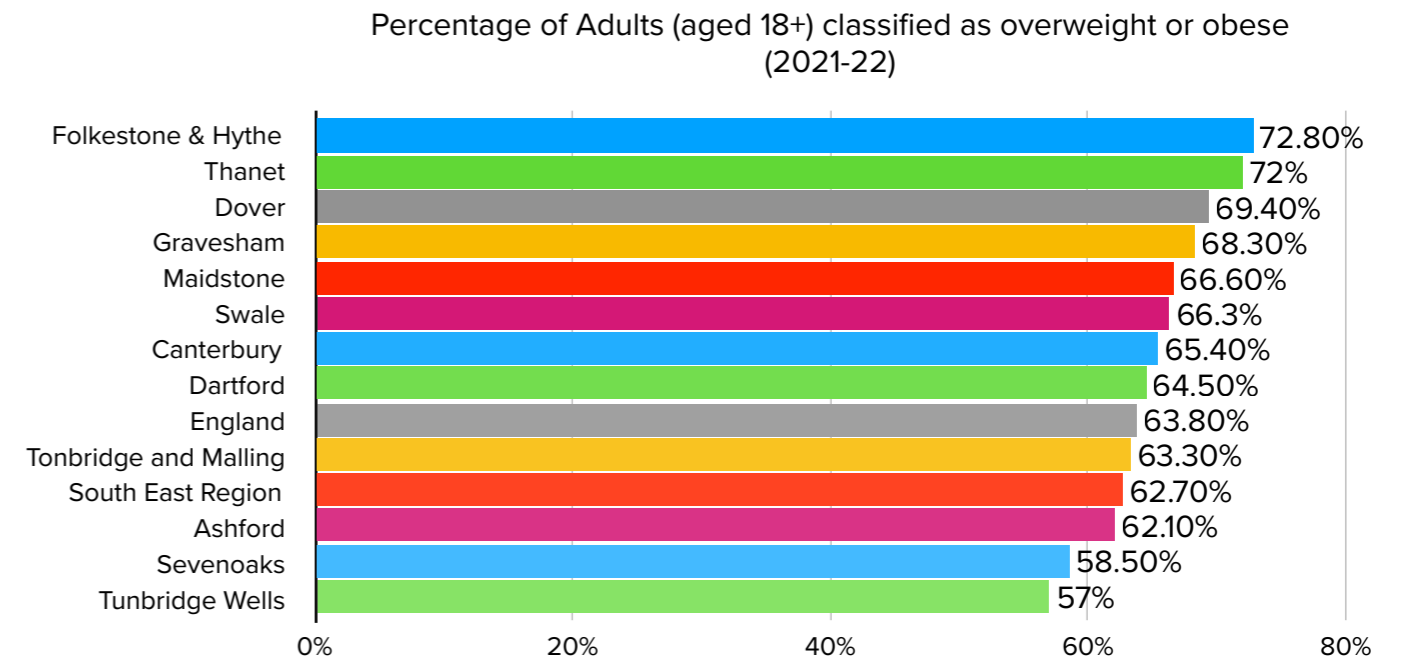


Source: Public Health England: Public Health Outcomes Framework

Obesity

In 2021-22, 72.80% of adults in the district were classified as overweight and the latest data from 2022/23 shows 37.4% of 10-11 year olds (Year 6 school age) were classified as obese. Both figures are above the South East and national averages.

The graphs below set out how Folkestone & Hythe compares with other Kent Local Authority areas for obesity in both adults and Year 6 school age children:

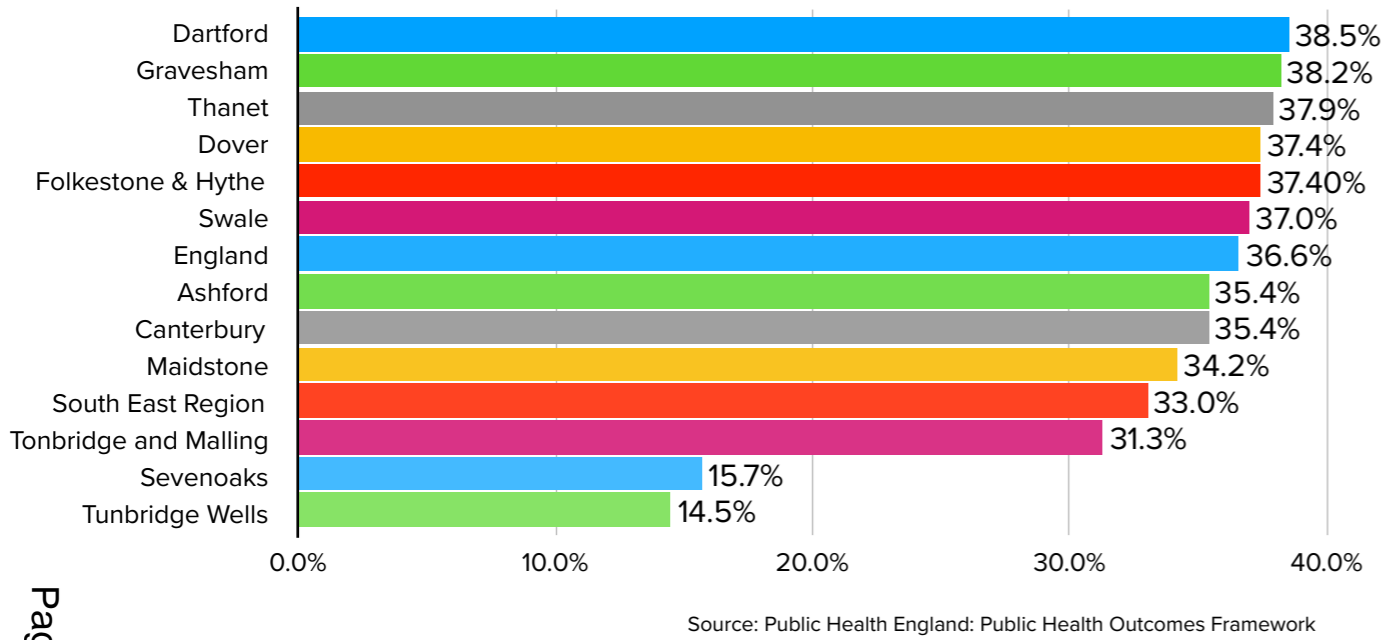


Source: Public Health England: Public Health Outcomes Framework

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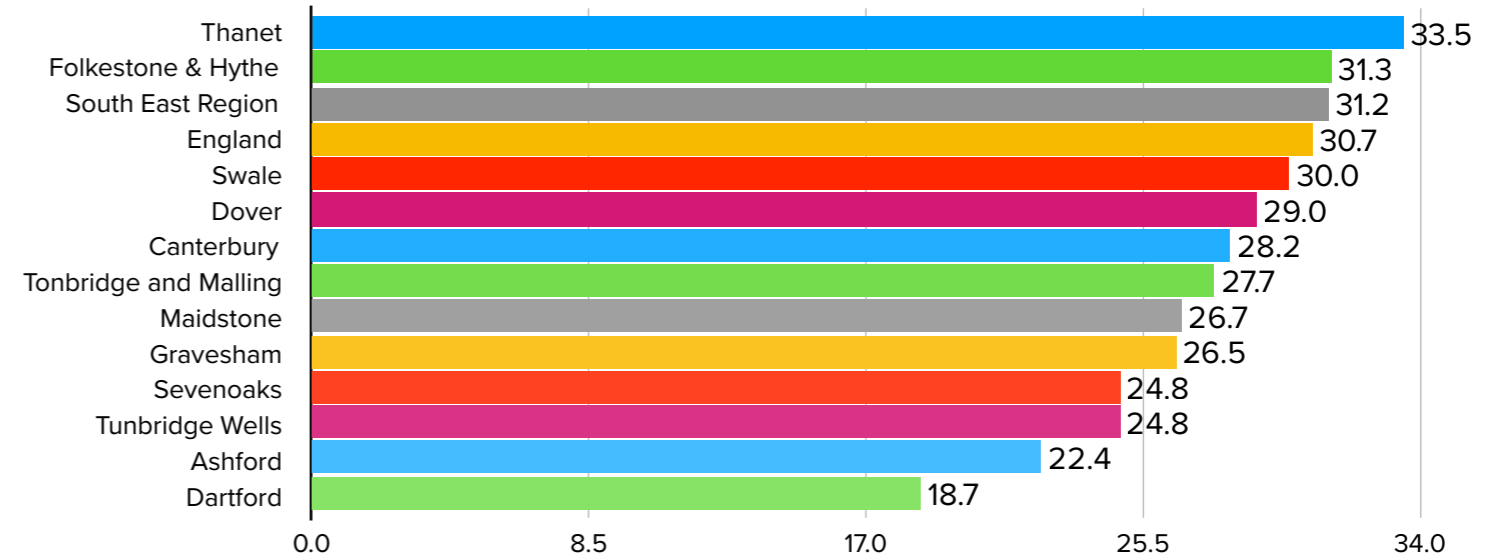
Obesity (Continued)

Prevalence of overweight Year 6 children (Including obesity) (2022/23)



However, the rate of alcohol-specific hospital stays among under 18s in the district is above the average across England with 31.3 per 100,000 recorded, compared with 30.7 per 100,000 nationally. The graph below sets out how Folkestone & Hythe compares with other Kent Local Authority areas:

Hospital Stays for alcohol specific conditions per 100,000 - Under 18s (2017-19)

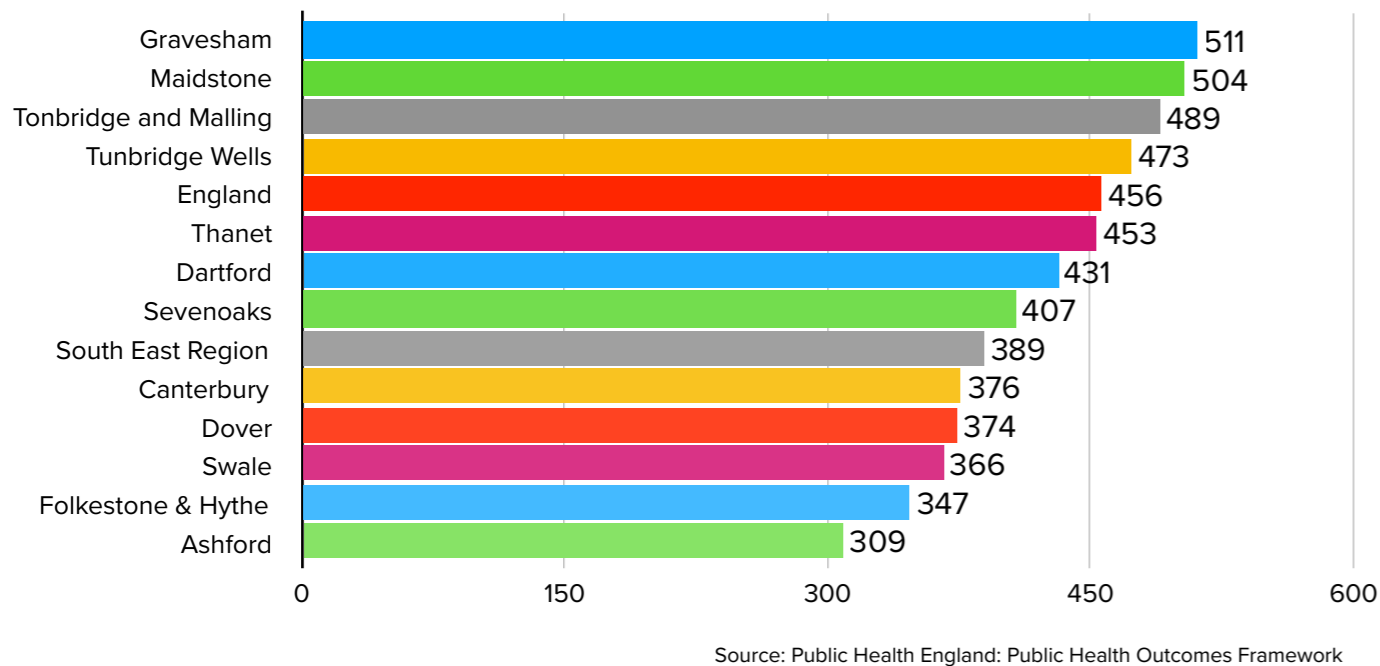


Caption

Alcohol-related hospital admissions

The rate of alcohol-related harm hospital admissions for adults is better than the average across England with 347 per 100,000 recorded in the district during 2020-21, compared with 456 per 100,000 in nationally.

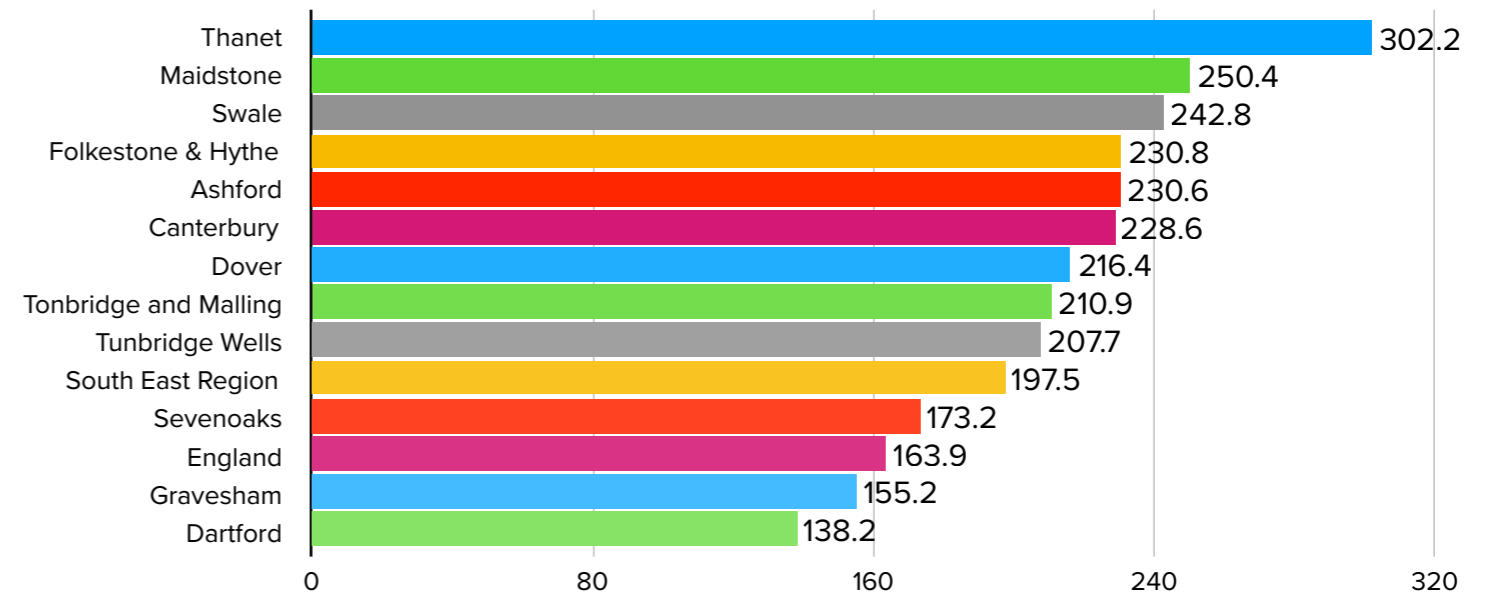
Alcohol Related Harm - Hospital admissions per 100,000 (2020-21)



Emergency Hospital Admissions for intentional Self-Harm

The number of emergency hospital admissions for intentional self-harm in the district in 2021/22 was 230.8 per 100,000, which is above both the regional and national average. The graph below sets out how Folkestone & Hythe compares with other Kent Local Authority areas:

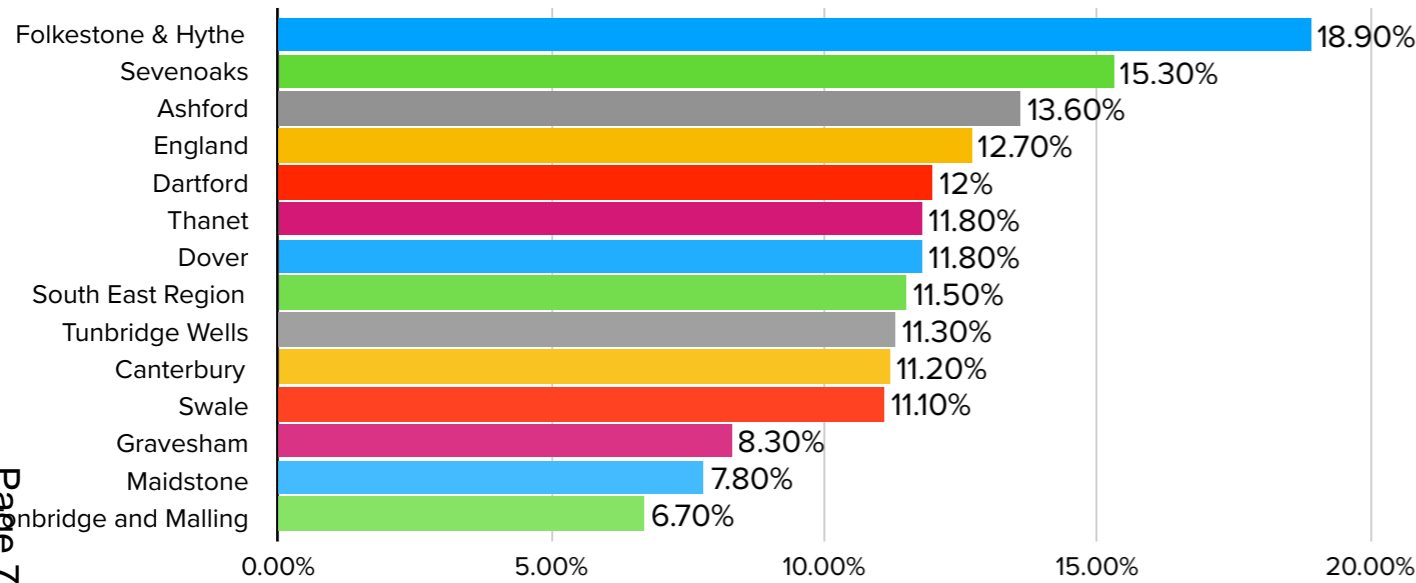
Emergency Hospital Admissions for intentional Self-Harm per 100,000 (2021-22)



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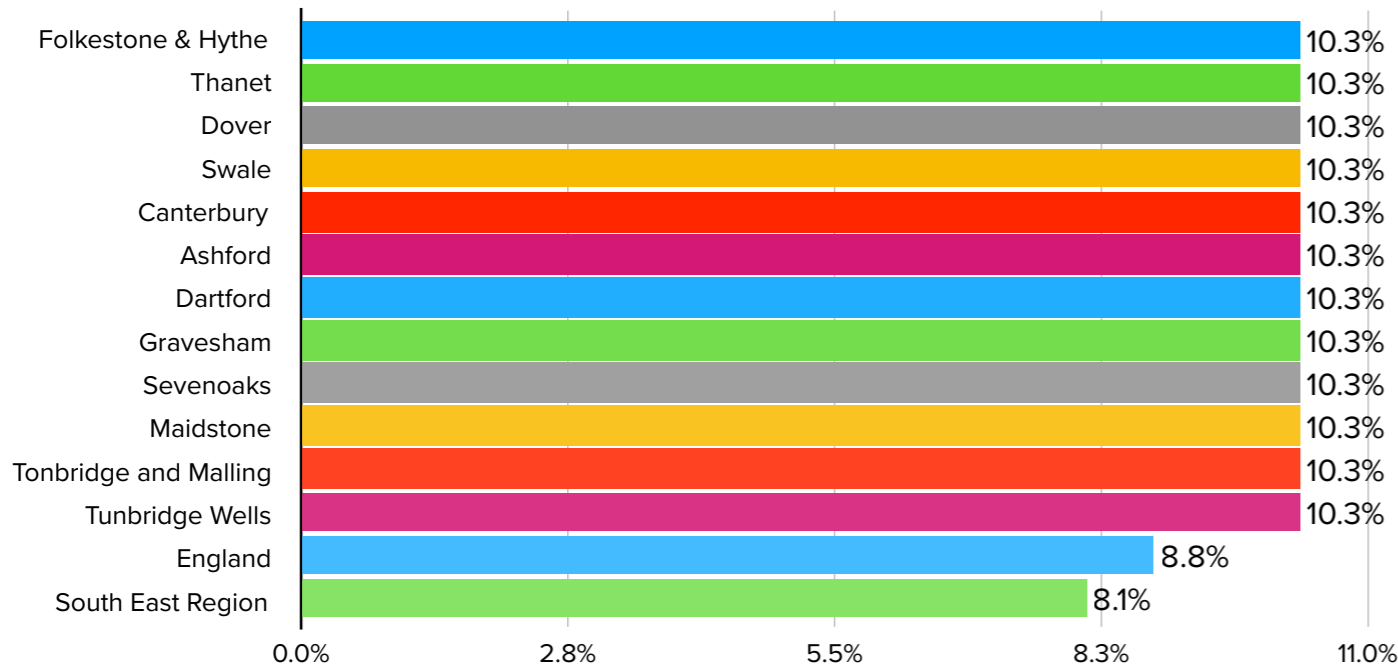
g
 of those over the age of 18 are smokers - this is significantly higher than the other Kent authority areas, the national average and the average for south-east England. In addition, percentage of those smoking at the time of delivery (a determinant of child health) is notably higher in Folkestone & Hythe district than in other areas of Kent.

Smoking Prevalence in Adults (18+) 2022



Source: Public Health England: Public Health Outcomes Framework

Smoking status at time of delivery (2022/23)

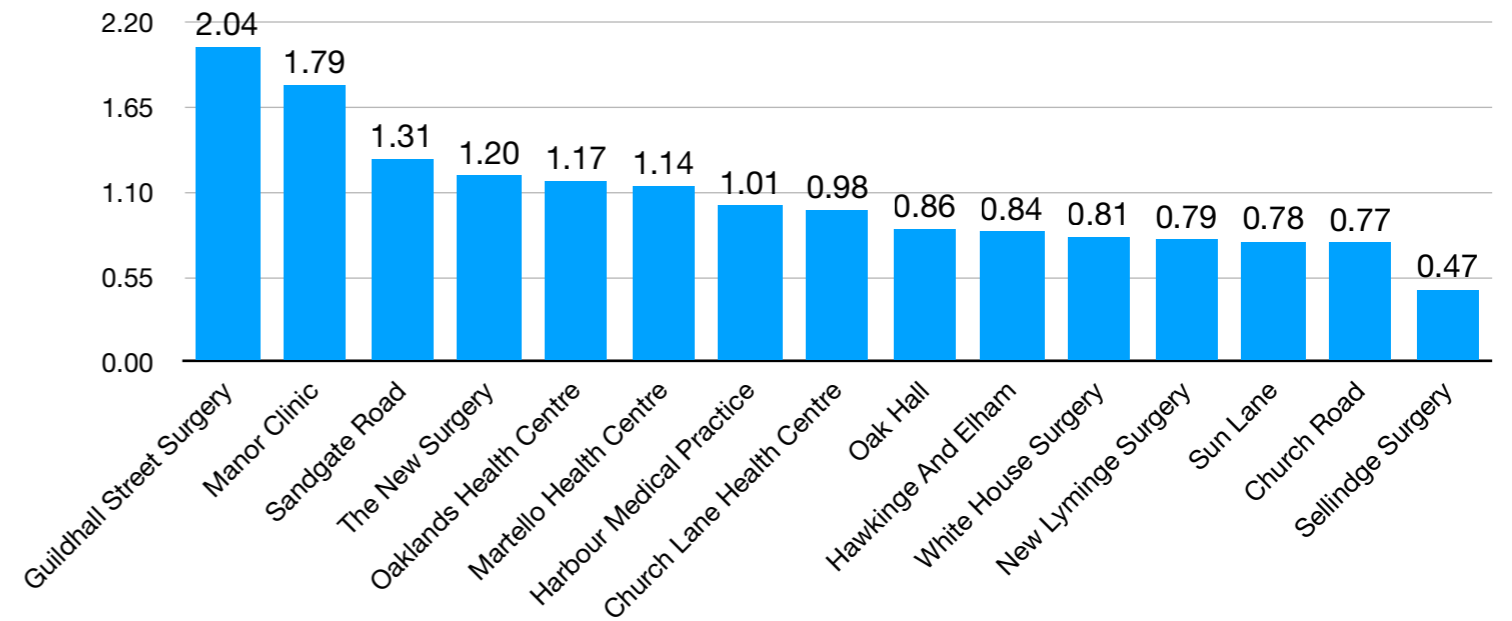


Source: Public Health England: Public Health Outcomes Framework

Mental Health and Suicide

The prevalence of mental health conditions in 2022-23 by GP practice in the graph below shows Guildhall Street Surgery (Folkestone) as recording the highest prevalence (2.04%) and Sellindge Surgery recording the lowest (0.47%) on the register of their patients:

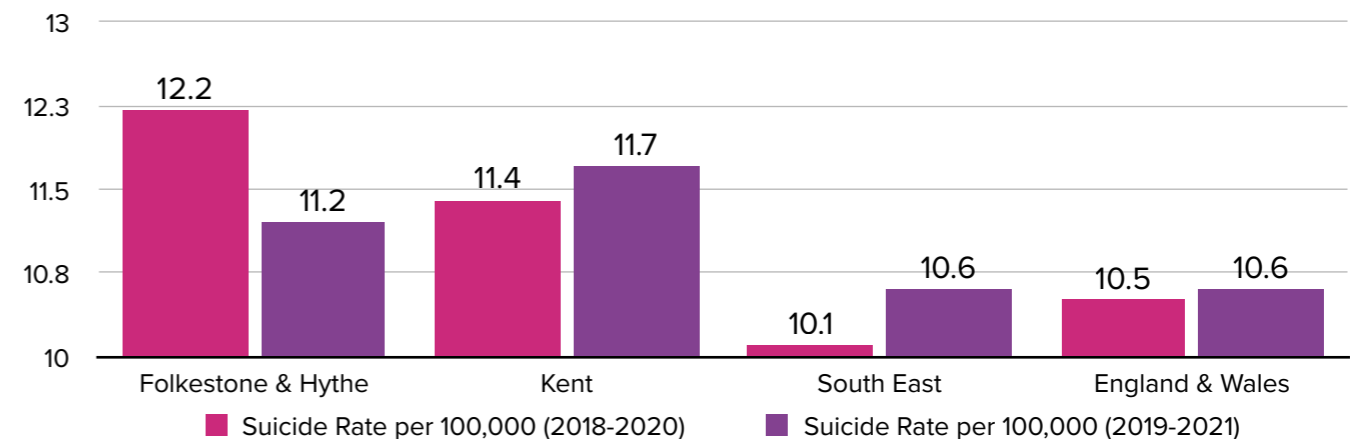
Recorded Prevalance of Mental Health Conditions by GP Practice
 % of patients recorded on GP QOF registers as having a mental health condition- 2022-23



Source: NHS Digital: Quality of Outcomes Framework (2022/23)

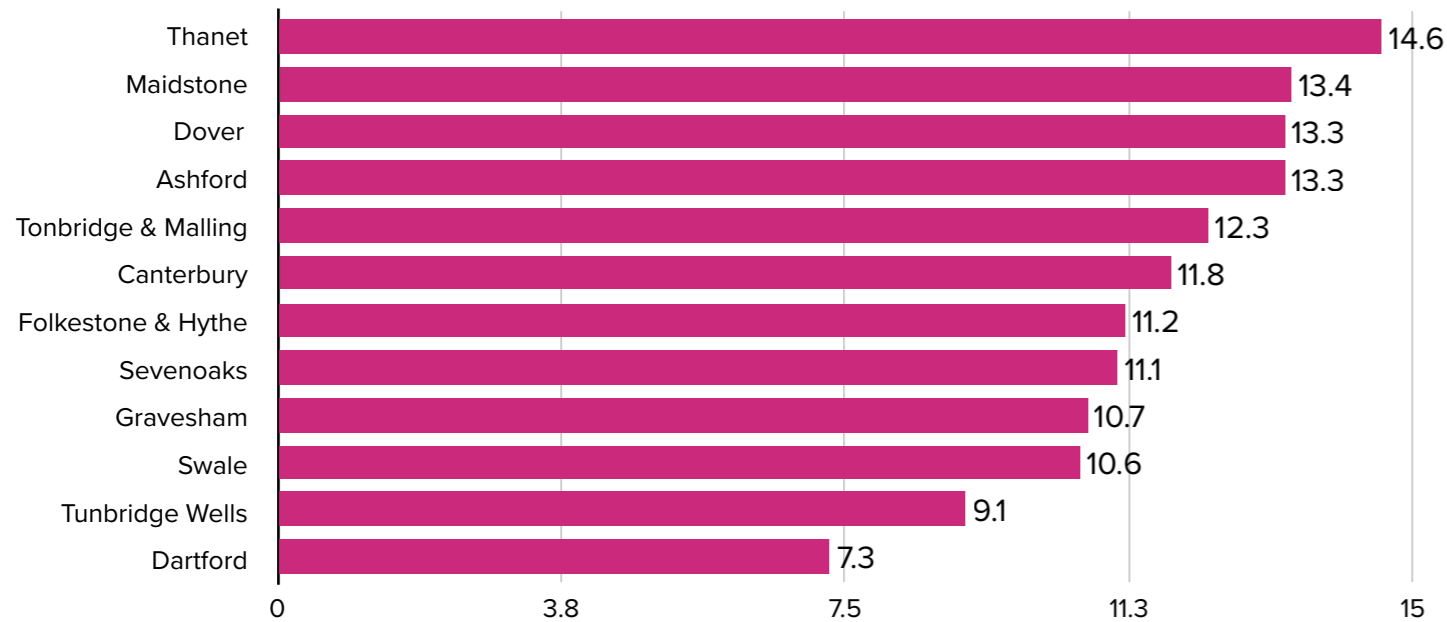
The suicide rate in the district is above the average for Kent, the South East and England & Wales as a whole. Data for the period from 2019 to 2021 recorded by the ONS shows the rate at 11.2 per 100,000 of the population, the seventh highest amongst the Kent districts. The rate across Kent overall was 11.7, 10.6 in the South East and 10.6 nationally (England & Wales).

Suicide Rate per 100,000 Folkestone & Hythe vs County, Regional and National



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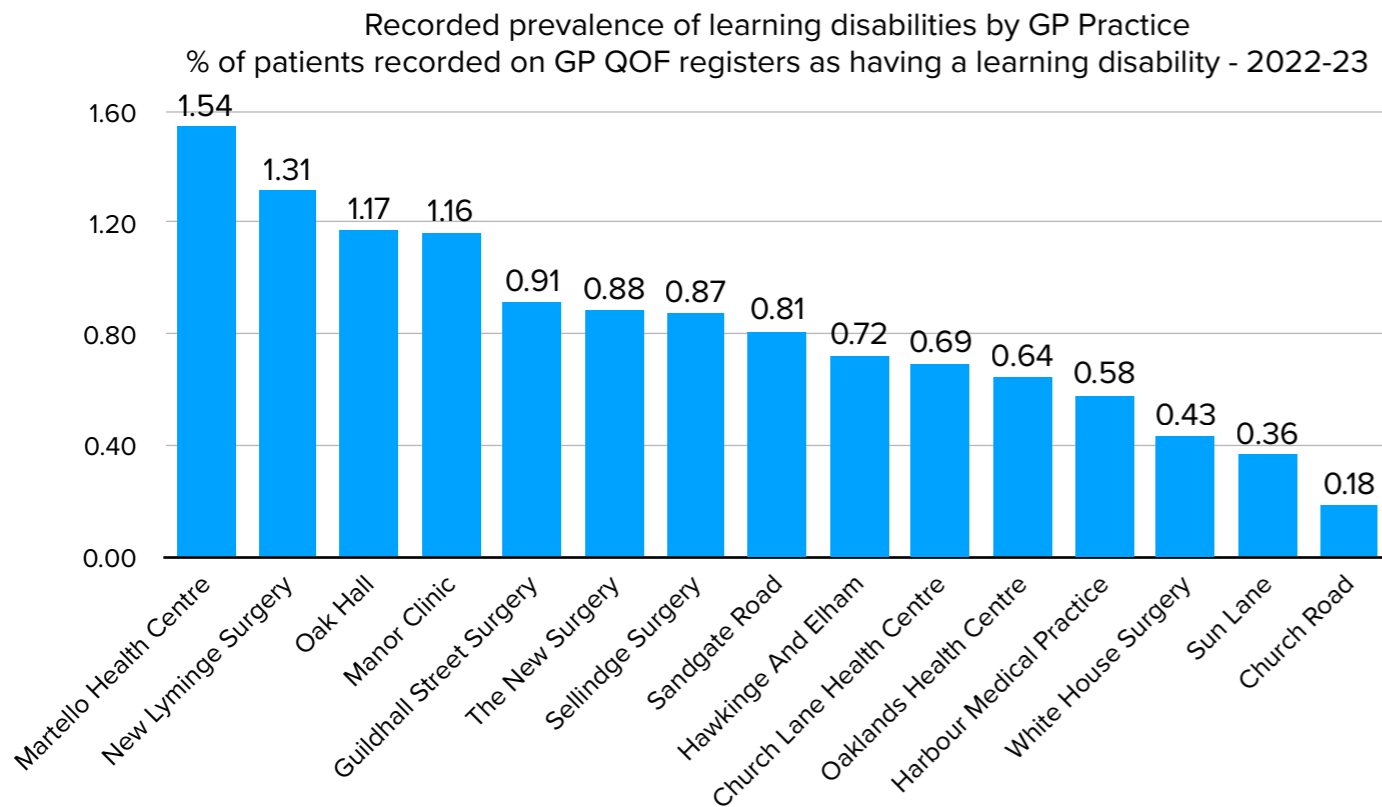
Suicides per 100,000 of population by Kent Local Authority Area (2019-21)



Source: ONS Suicides in England and Wales by Local Authority (2022)

Learning Disabilities

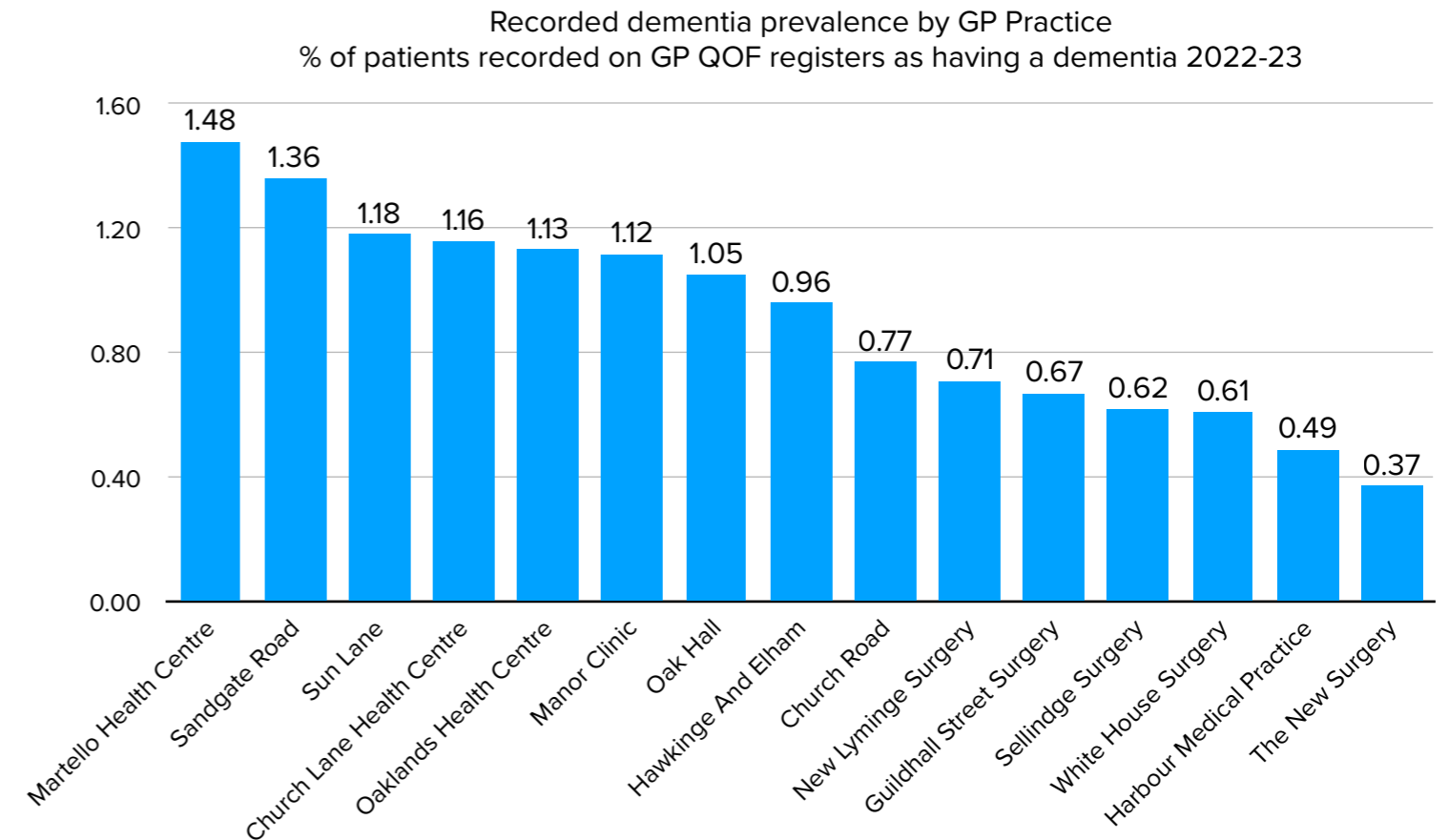
The latest figures recorded in 2022/23 on the prevalence of learning disabilities by GP practice show a variance across the district with the highest at Martello Health Centre in Dymchurch (1.54%) and the lowest at Church Road Surgery in Lyminge (0.18%).



Source: NHS Digital: Quality of Outcomes Framework (2022/23)

Dementia

The latest data recorded in 2022/23 for prevalence of dementia by GP surgeries shows a variance across the district with the highest number being recorded at Martello Health Centre in Dymchurch (1.48%) and the lowest at The New Surgery in Folkestone (0.37%).



Source: NHS Digital: Quality of Outcomes Framework (2022/23)

Births & Deaths

In the recent past there have generally been more deaths per year in the district than births. This trend has continued with the latest figures from 2022 showing 953 live births and 1,127 deaths. This is in contrast with the picture for Kent as a whole, where the live birth rate is higher than the death rate

Source: ONS, Births in England and Wales: Summary Tables, 2022

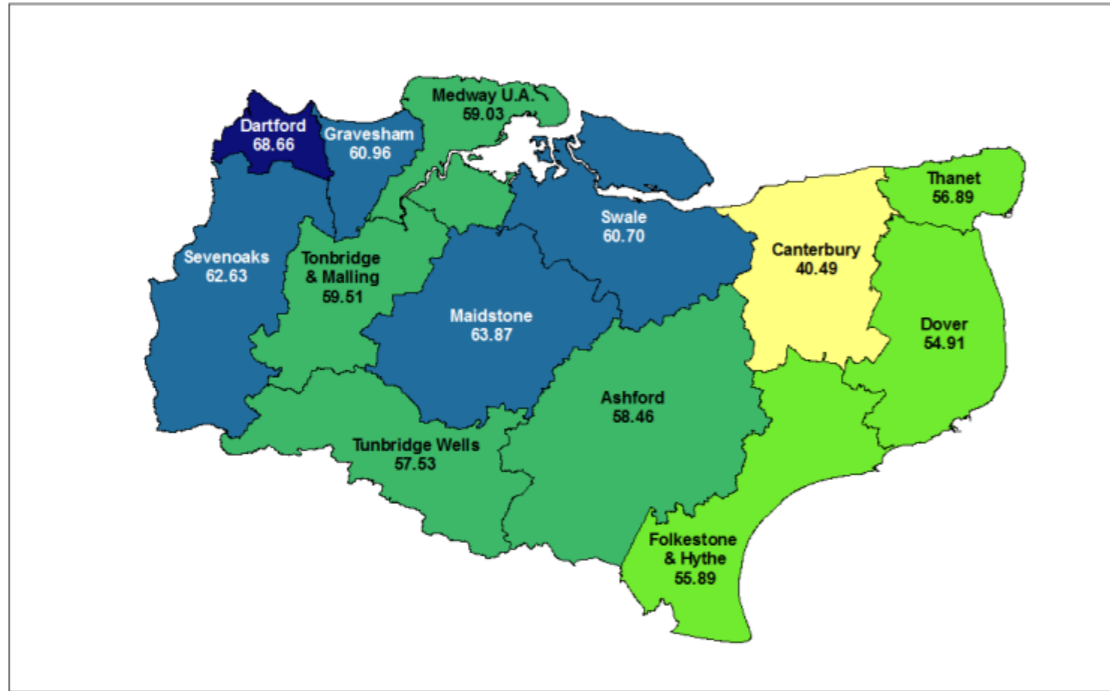
ONS: Deaths registered monthly in England and Wales, 2022

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General Fertility Rates

The General Fertility Rate (GFR) is the number of live births per 1,000 females aged between 15 and 44

2021 General Fertility Rate: Local Authority Areas in Kent



This map produced by Kent Analytics, Kent County Council
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The latest data for 2021 shows the GFR for Folkestone & Hythe was measured at 55.89. This is the second lowest rate when compared with other Kent local authority areas in the County map above,

Source: KCC Strategic Commissioning Statistical Bulletin – Births & Deaths in Kent 2021

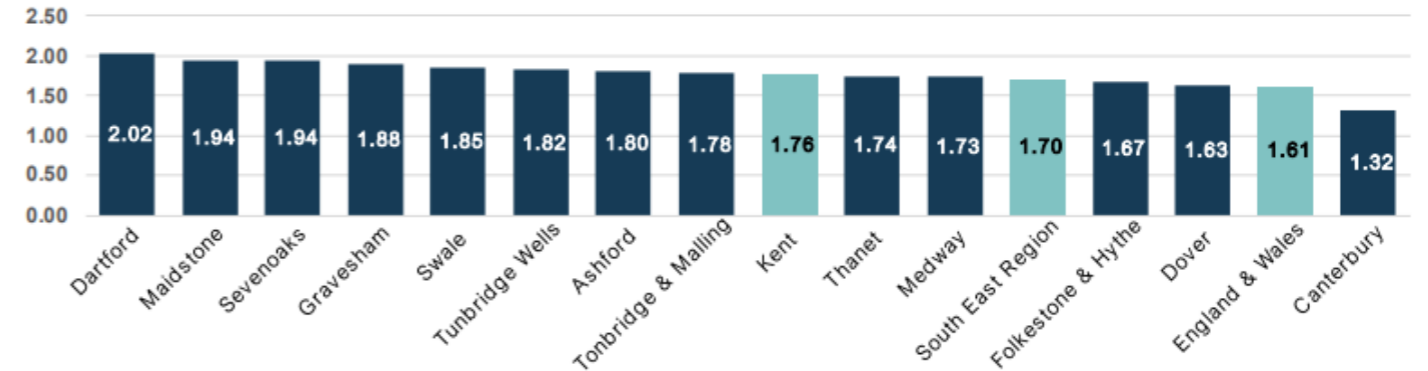
Total Fertility Rates

The total fertility rate is defined as ‘the average number of live children that a group of women would bear if they experienced the age-specific fertility rates of the calendar year throughout their childbearing lifespan’.

Folkestone & Hythe has the third lowest total fertility rates (1.67) in 2021 compared with neighbouring East Kent local authority areas. The following graph shows the total period fertility rate for the district to be below the Kent average (1.76), as well as the South East Region average (1.70), but above the England and Wales (1.61) average.

2021 TFR: Total Fertility Rate

PFR or TFR: Total Period Fertility Rate is the average number of live children that a group of women would bear if they experienced the age-specific fertility rates of the calendar year in question throughout their childbearing lifespan.

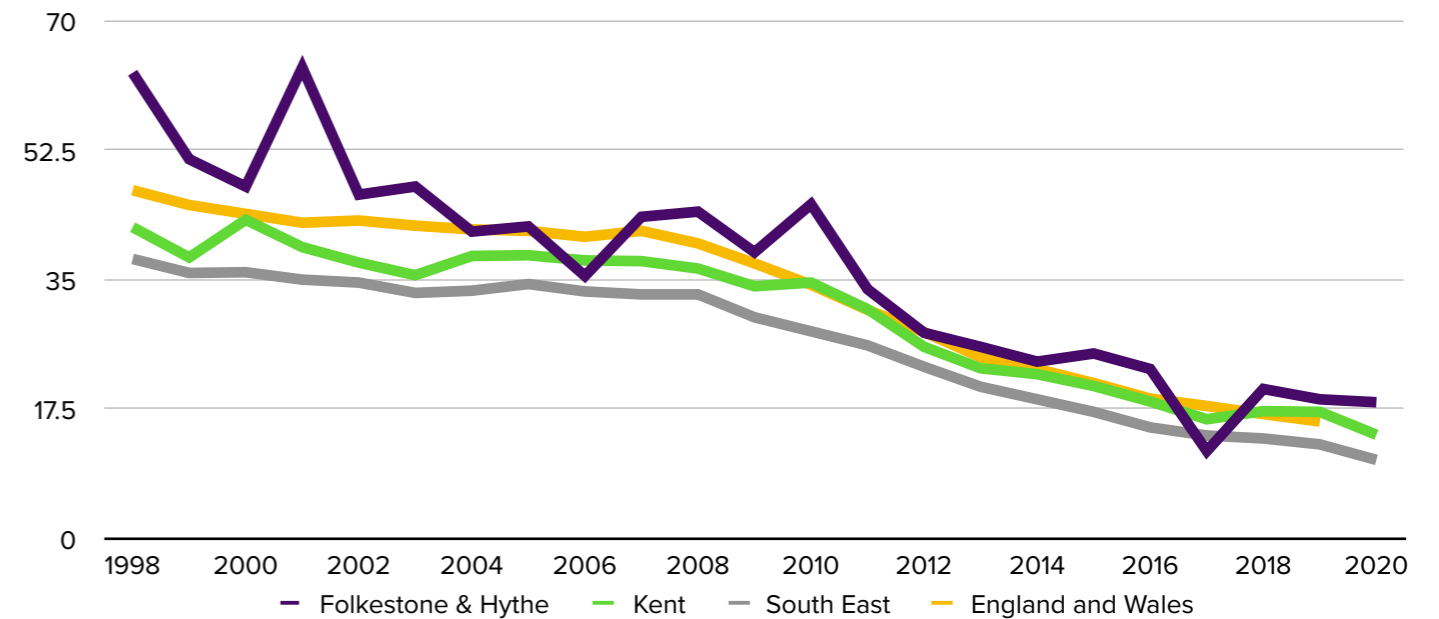


Source: KCC Strategic Commissioning Statistical Bulletin – Births & Deaths in Kent 2021

Teenage Pregnancies:

Under 18 conception rate – An Historical Comparison:

Under 18 Conceptions (Per 1,000 population) 1998-2020

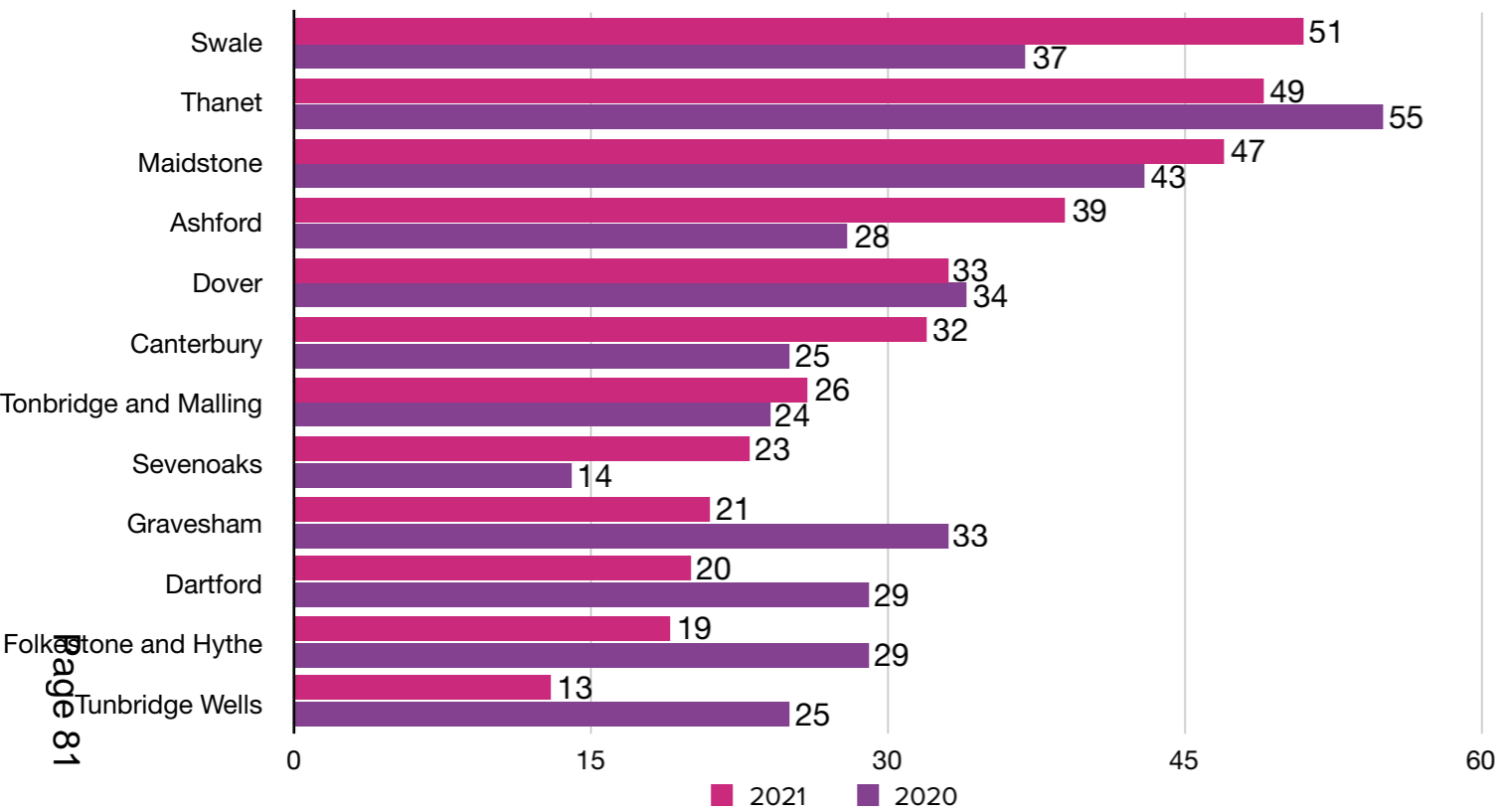


Source: ONS Conception Statistics 2020

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Teenage Conceptions: A Kent Comparison

Number of under 18 conceptions by Kent local authority area in 2020 vs 2021



Source: ONS Conception Statistics 2021

The latest ONS data on conceptions from 2021 in the above graph shows all Kent local authorities ranked from highest to lowest in terms of under 18 conceptions. Swale was recorded as having the highest number in 2021 with 51 conceptions, previously Thanet was the highest in 2020. Folkestone & Hythe, previously recorded a total of 29 conceptions in 2020, which decreased to 19 in 2021. Tunbridge Wells recorded the lowest number within the County in 2021.

Life Expectancy

The latest available data from the 2018-2020 period shows the average life expectancy of a Folkestone & Hythe resident to be similar to the national average:

	Folkestone & Hythe	Kent	South East	England
Female	82.9	83.2	84.1	83.1
Male	78.3	79.6	80.5	79.6

Source: ONS: Life expectancies for local areas of the UK: Between 2001-03 and 2018-20

At the age of 65 years, the average female in the Folkestone & Hythe District lives for a further 21.3 years, with the average male living for a further 18.6 years.

Source: ONS: Life expectancies for local areas of the UK: Between 2001-03 and 2018-20

Disability Benefits

11.5% of Folkestone & Hythe residents claim disability benefits, defined as including Disability Living Allowance / Personal Independence Payments or Attendance Allowance. Across all Kent authorities, Thanet (at 13.1%) has the highest percentage of disability benefit claimants. The table below shows the proportion of each age bracket claiming disability benefits and how this compares with county, regional and national figures.

	Folkestone & Hythe	Kent	South East	England & Wales
Overall	12.4%	9.3%	7.6%	9.2%
0-15	7.9%	6.9%	5.4%	5.4%
16-64	9.3%	6.7%	5.3%	6.7%
65+	22.8%	19.5%	16.8%	21.5%
Young People (24 and under)	8.2%	6.8%	5.2%	5.3%

Source: KCC District Profile/ DWP, November 2022

There are a number of reasons why people may claim disability benefit and people may claim for more than one condition. Looking at why people in Folkestone & Hythe district claimed the benefit, figures show that 63.2% of disability benefit claimants in the district claim due to a physical disability, and in addition 18.6% of the total also claimed for a mental health condition, and 14.2% of the total due to a learning difficulty.

People Providing Unpaid Care

Age Range	Percentage
65 and over	26.7%
16-64	70.6%
0-15	2.7%

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Percentage of age groups claiming carers allowance

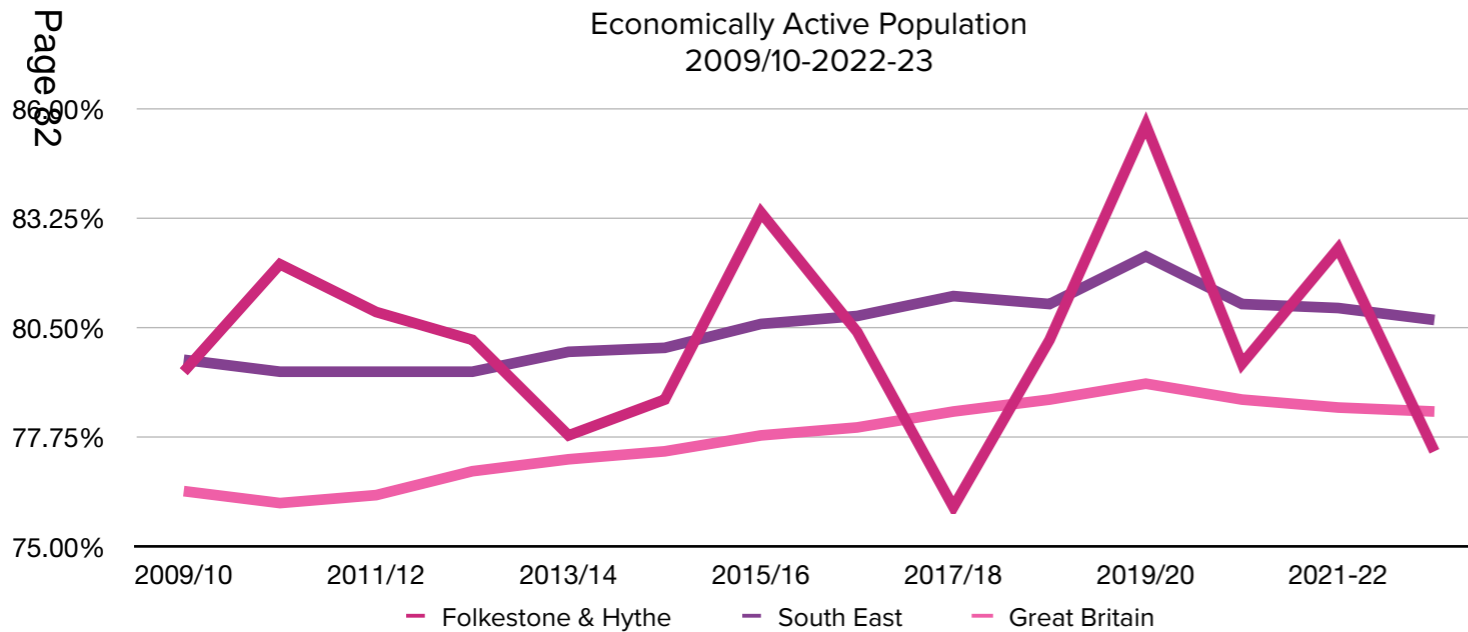
Age Range	Folkestone & Hythe	Kent	Great Britain
16-24	1.0%	0.7%	0.7%
25-64	3.7%	3.0%	2.8%
65 and over	2.7%	2.4%	2.8%

Source: KCC District Profile/ DWP Longitudinal Study, November 2022

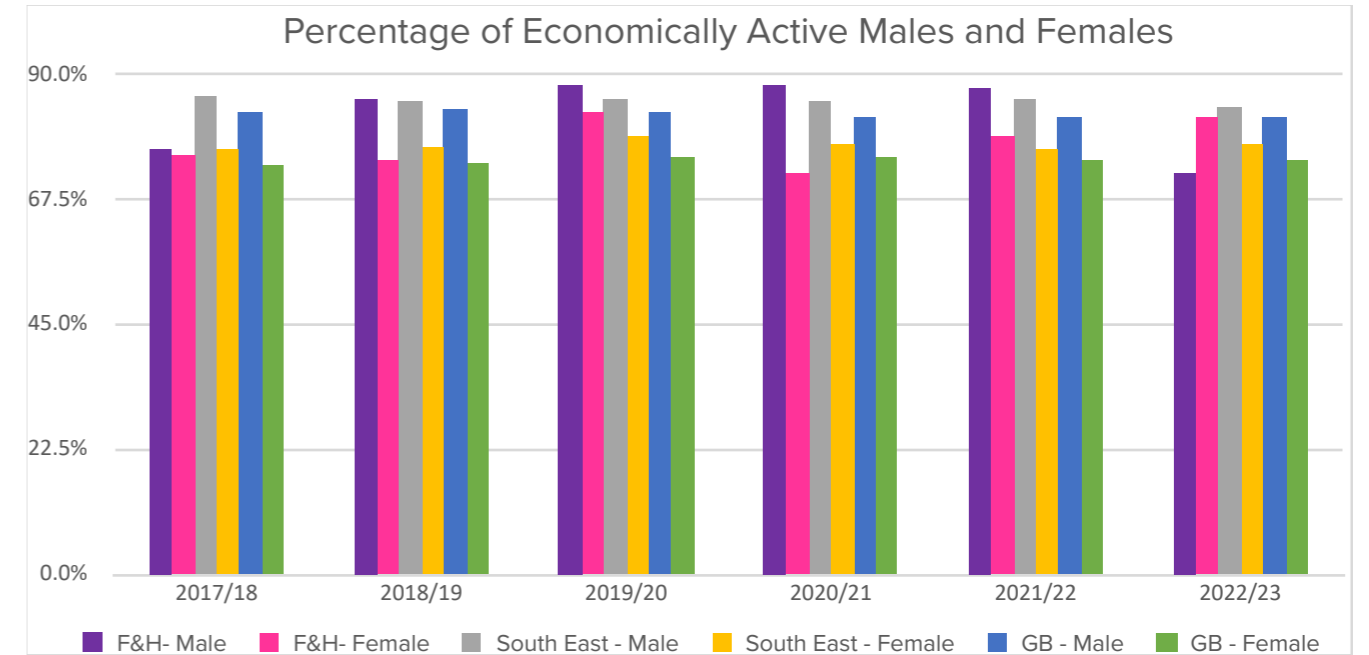
Economic Profile

Labour Supply & Economic Activity

In 2022-23, 77.4% of those aged between 16 and 64 were 'economically active', defined as 'either in employment or unemployed and available for and actively seeking work' compared with 82.5% in 2021-22.

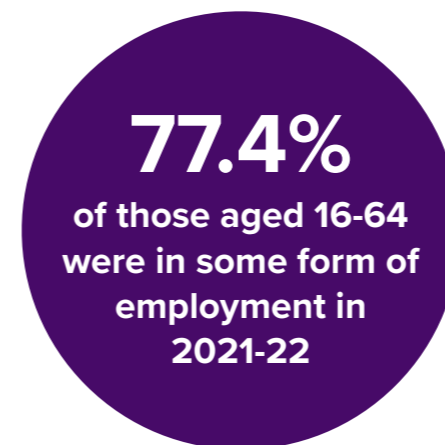


There has historically been some differential between the proportion of economically active men and women. In 2016/17 for example, 85.9% of males were economically active in comparison to 74.8% of females. In 2022-23, the proportion of economically active females increased to 82.2% and the proportion of economically active males decreased to 72.2%. The graph below shows the trend for the previous five years:

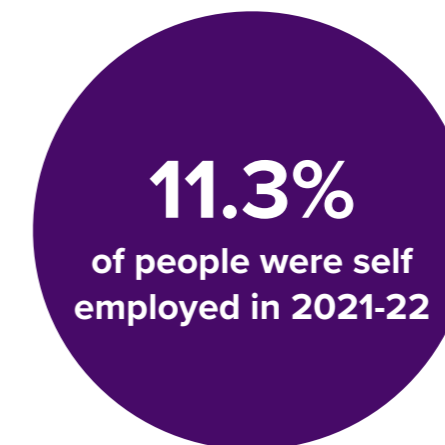


In 2022/23, 77.4% of those aged 16-64 were in some form of employment. The majority of people aged 16-64 who were classed as employees has fallen from 67.1% in 2021/22 to 60.5% in 2022/23. The number of those classed as self-employed has decreased from a high of 20.8% in 2019/20 to 11.9% in 2020/21 as a likely result of the pandemic. In 2022/23, the figure has continued to decrease to 11.3%.

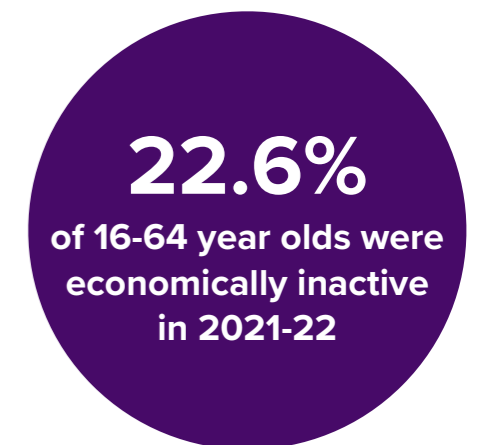
The proportion of residents classed as 'economically inactive' has shown an increase for the monitoring year - in 2022/23 22.6% of those aged 16-64 were unavailable to work compared with 17.5% in 2021/22. The figure for 2022/23 is now above the average when compared to the southeast (19.3%) and Great Britain as whole (21.6%).



Source: NOMIS



Source: NOMIS



Source: NOMIS

04 Understanding our Communities

Employment by Occupation: Proportion of those in Employment in 2022

	Folkestone & Hythe	South East	Great Britain
Soc 2010 major group 1-3	55.3%	57.0%	52.2%
1 Managers, directors and senior officials	#	12.7%	10.7%
2 Professional occupations	28.3%	28.3%	26.8%
3 Associate professional & technical	19.4%	15.7%	14.5%
Soc 2010 major group 4-5	19.2%	17.7%	18.5%
4 Administrative & secretarial	#	9.4%	9.6%
5 Skilled trades occupations	#	8.2%	8.9%
Soc 2010 major group 6-7	16.4%	12.9%	14.2%
6 Caring, leisure and Other Service occupations	#	7.4%	8.0%
7 Sales and customer service occs	#	5.4%	6.1%
Soc 2010 major group 8-9	#	12.4%	15.1%
8 Process plant & machine operatives	#	4.2%	5.5%
9 Elementary occupations	#	8.1%	9.5%

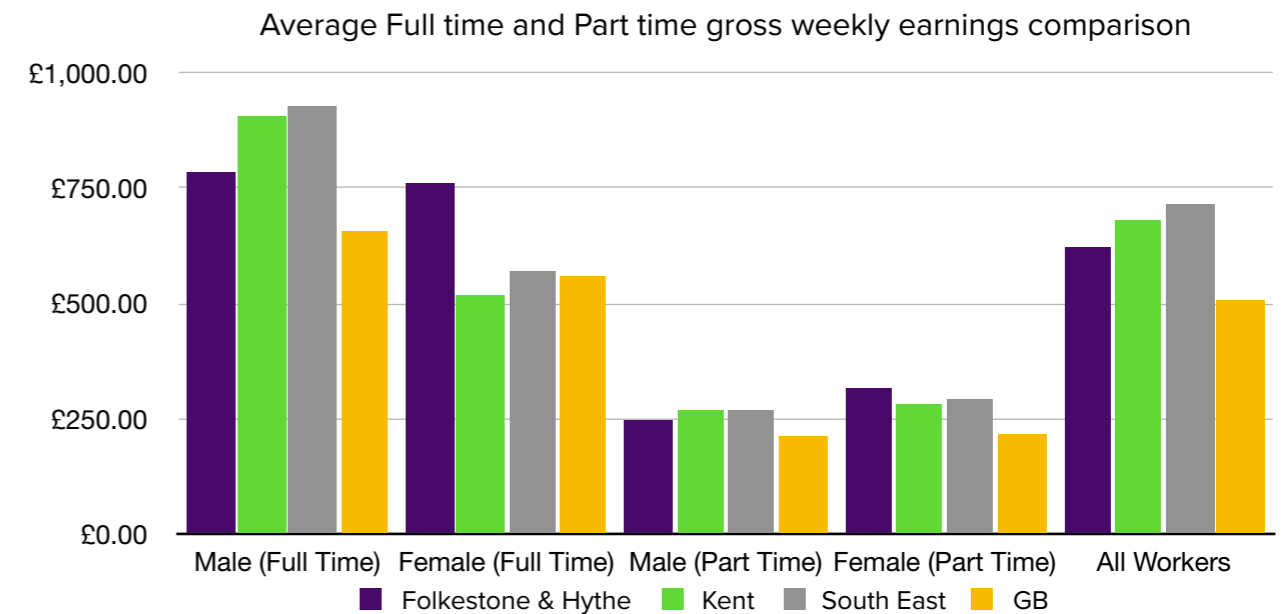
Source: NOMIS

Earnings and Income

The average gross earnings for a Folkestone & Hythe resident in 2022/23 was £620.50 per week which is lower than those for the average Kent resident (£680.50 per week), the south east (£714.30 per week) and Great Britain as a whole (£669.10 per week).

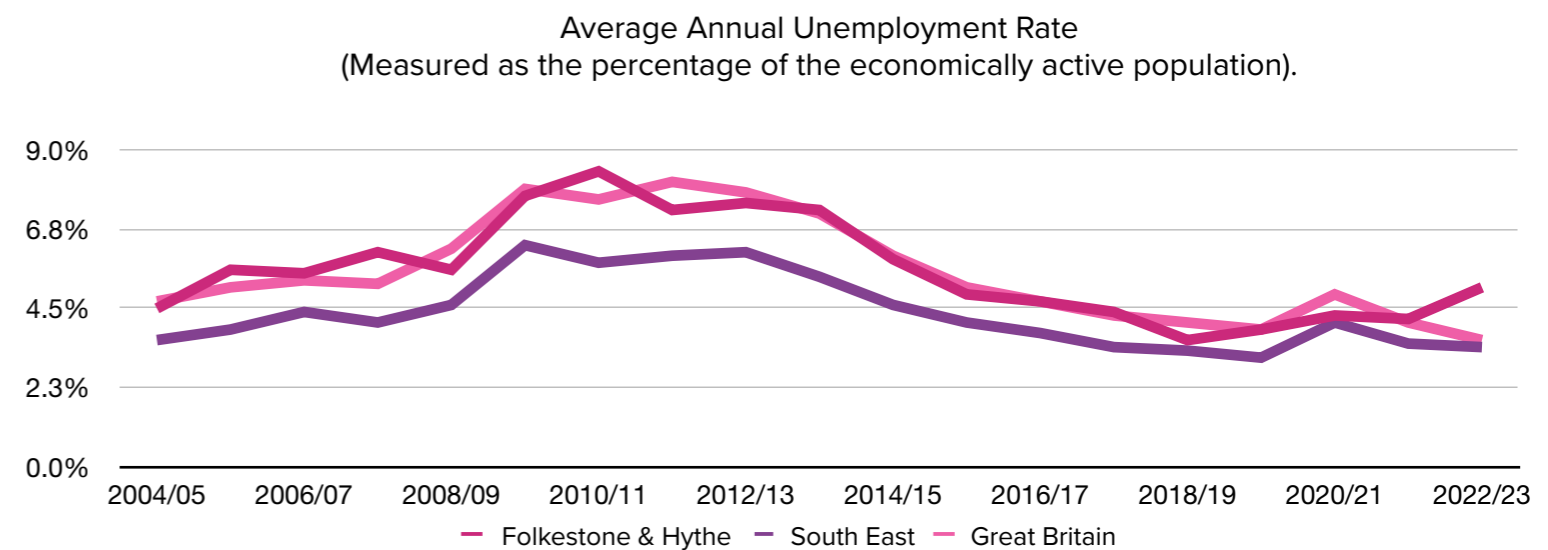
Source: NOMIS, Annual Survey of Hours & Earnings, 2023

There are, however, variations between the earnings of men and women, and those in full time and part time employment. The graph below sets out these earnings:



Unemployment and Working Age Benefits

The unemployment rate in the district has increased from 4.2% in [date?] to 5.1% in 2022/23 and is above the southeast (3.4%) and Great Britain (3.6%) averages. The graph below shows the average unemployment rate from 2004/05 to 2022/23:



04 Understanding our Communities

Unemployment and Working Age Benefits (continued)

The 'claimant count' is the proportion of those aged 16-64 claiming benefits principally for the reason of being unemployed.

At the end of 2022/23 the claimant count recorded a decrease within the district from 4.8% in March 2022 to 4.0% in March 2023. The current count is still higher in comparison to the south east (2.8%) and national average (3.7%).

When we consider claimant count by age, there appears to be a higher claimant count amongst 18-21 year olds.

Age Range	Folkestone & Hythe	South East	Great Britain
16+	4.0%	2.8%	3.7%
16-17	0.2%	0.1%	0.2%
18-24	6.6%	3.7%	4.9%
(of which 18-21)	7.0%	3.7%	5.0%
25-49	4.6%	3.2%	4.2%
50+	2.8%	2.1%	2.7%

Source: NOMIS 2023

Deprivation

Folkestone & Hythe is a diverse district. Not dissimilar to other local authority areas in East Kent, it has areas that are within the most deprived 10% of England and areas that are within the least deprived 10%.

Source: Ministry of Housing Communities & Local Government (MHCLG), 2019

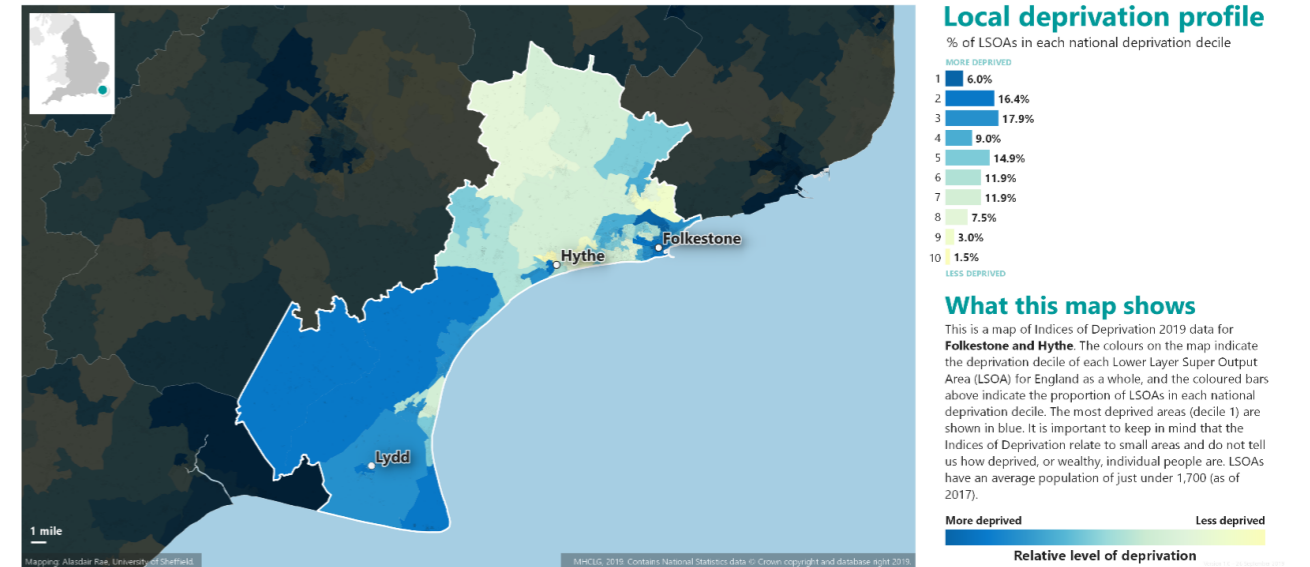
The map below shows the latest indices of multiple deprivation (2019) based on combined data from income, employment, education, skills and training, health deprivation and disability, crime, barriers to housing and services as well as living environment deprivation. The darkest blue areas show the worst deprivation. Data is split into areas generated by the Office for National Statistics based on population size called Lower Layer Super Output Areas (LSOAs) rather than by electoral ward.

LSOA Definition: Lower-Layer Super Output Areas (LSOAs) are small areas designed to be of a similar population size, with an average of approximately 1,500 residents or 650 households. There are 32,844 Lower-layer LSOAs in England. LSOAs are a standard statistical geography produced by the Office for National Statistics for the reporting of small area statistics.

English Indices of Deprivation 2019



FOLKESTONE AND HYTHE



Above: Map of Folkestone & Hythe showing a 2019 profile of deprivation. Darker coloured areas on the map represent the more deprived areas and lighter coloured areas least deprived.

The table below shows how Folkestone & Hythe compares to other Kent local authority areas in an Index of Multiple Deprivation (IMD):

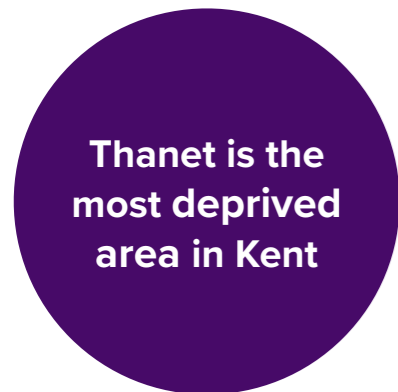
Local Authority	IMD - Rank of average score* (Out of 317 local authorities in England)	Ranking for Deprivation in Kent
Thanet	30	1
Swale	56	2
Folkestone & Hythe	90	3
Dover	113	4
Gravesham	123	5
Dartford	154	6
Ashford	158	7
Canterbury	179	8
Maidstone	185	9
Tonbridge and Malling	234	10
Sevenoaks	251	11
Tunbridge Wells	274	12

Source: Ministry of Housing Communities & Local Government (MHCLG), 2019

04 Understanding our Communities

Table Notes

***IMD - Rank of average score:** The average score summary measure is calculated by averaging the Lower Layer Super Output Area (LSOA) scores in each larger area after they have been population weighted. The resultant scores for the larger areas are then ranked, where the rank of 1 (most deprived) is given to the area with the highest score.



Source: MHCLG 2019



Source: : MHCLG 2019



Source: MHCLG 2019

Seven Domains of Deprivation:

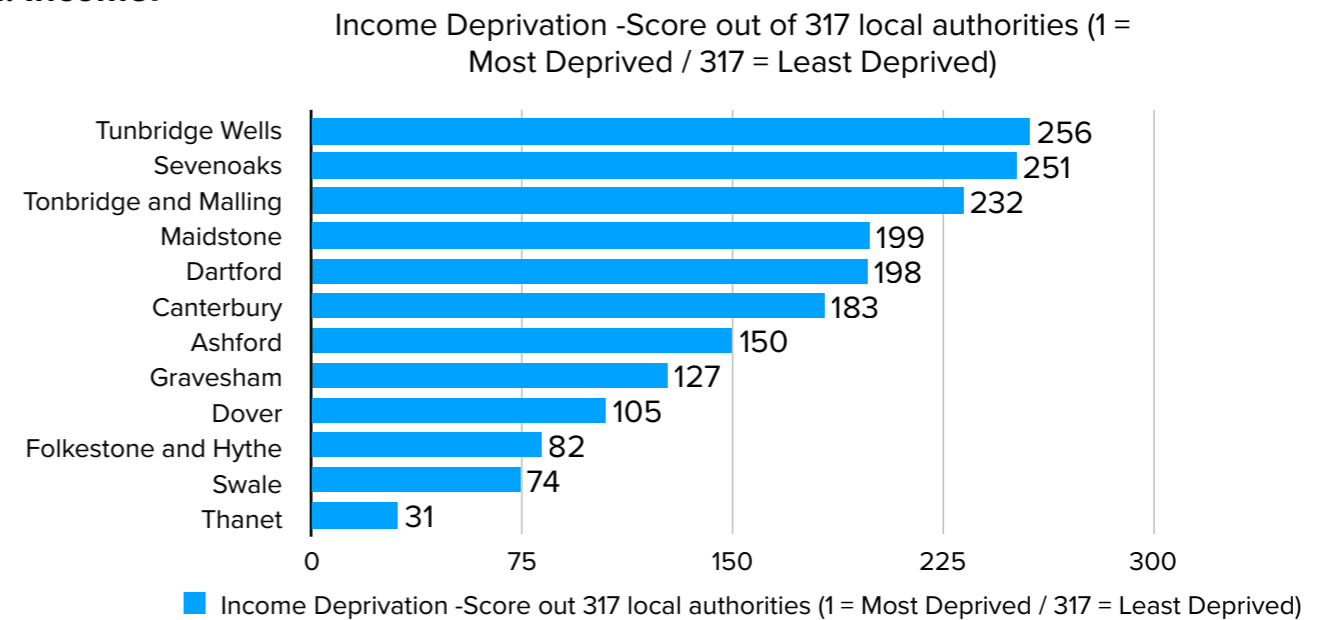
The rank of average score provided to an area is calculated using an area's individual scores across the seven Domains of Deprivation (DoDs):

1. Income
2. Employment
3. Education
4. Health
5. Crime
6. Barriers to housing and services
7. Living environment

Each of the above domains is based on a suite of indicators that are used to calculate an overall ranking for each local authority area.

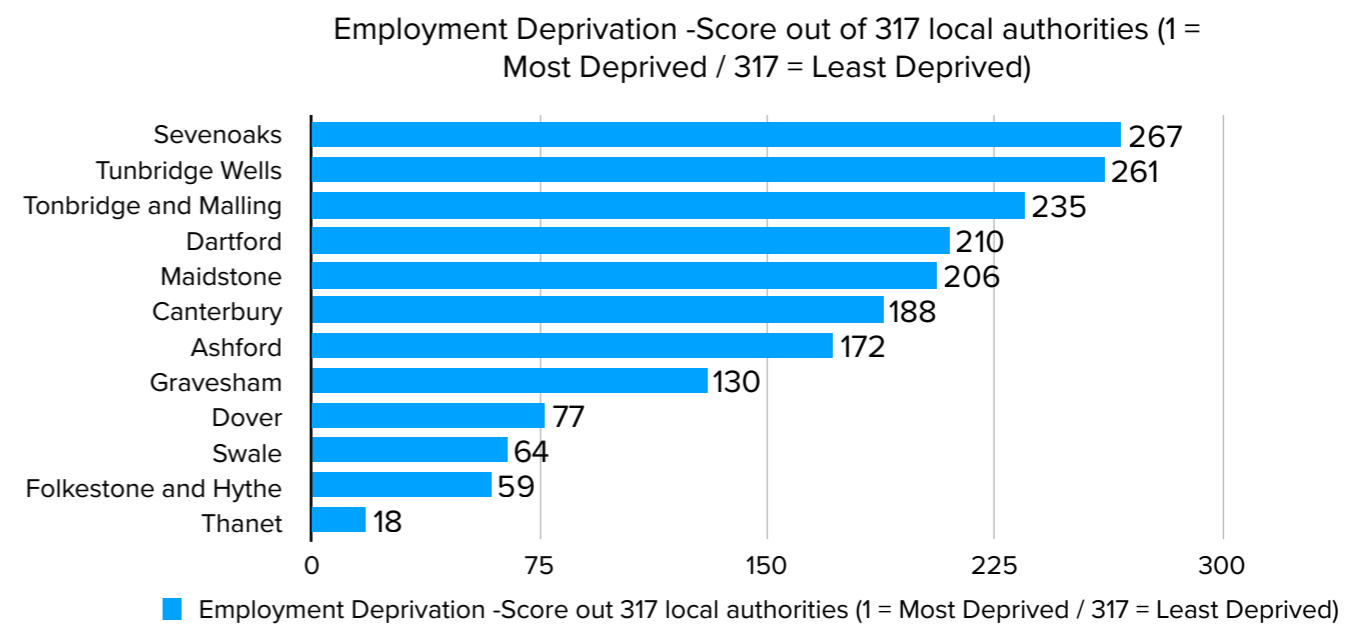
The following graphs show how the district compares with other Kent local authority areas on the Seven DoDs, where the ranking of 1 is classed as 'most deprived' and 317 'least deprived'.

1. Income:



The above graph shows Tunbridge Wells to be the least income deprived and Thanet to be the most income deprived. Folkestone & Hythe is ranked as the third most deprived for income out of the twelve Kent local authority areas.

2. Employment:

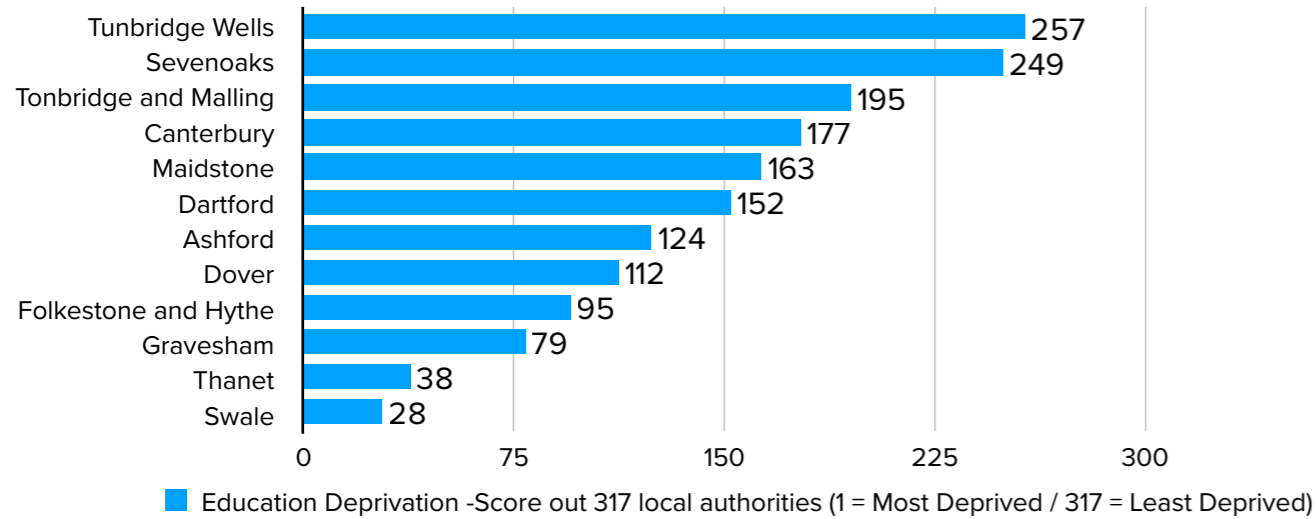


The above graph shows Sevenoaks to be the least employment deprived and Thanet to be the most employment deprived. Folkestone & Hythe is ranked as the second most deprived for employment out of the twelve Kent local authority areas.

04 Understanding our Communities

3. Education:

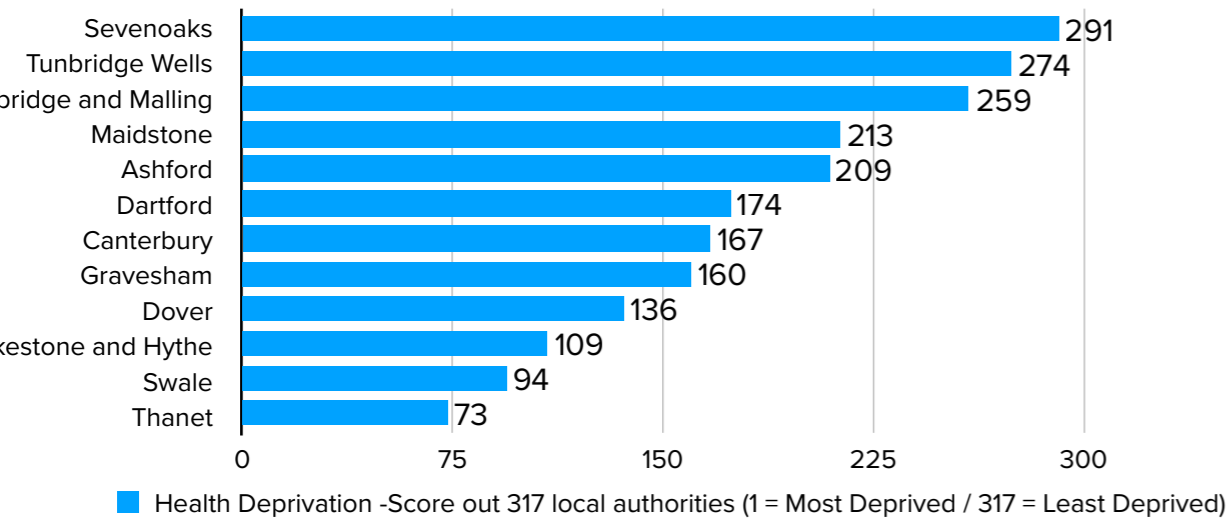
Education Deprivation -Score out of 317 local authorities (1 = Most Deprived / 317 = Least Deprived)



The above graph shows Tunbridge Wells to be the least education deprived and Swale to be the most education deprived. Folkestone & Hythe is ranked as the fourth most deprived for education out of the twelve Kent local authority areas.

4. Health:

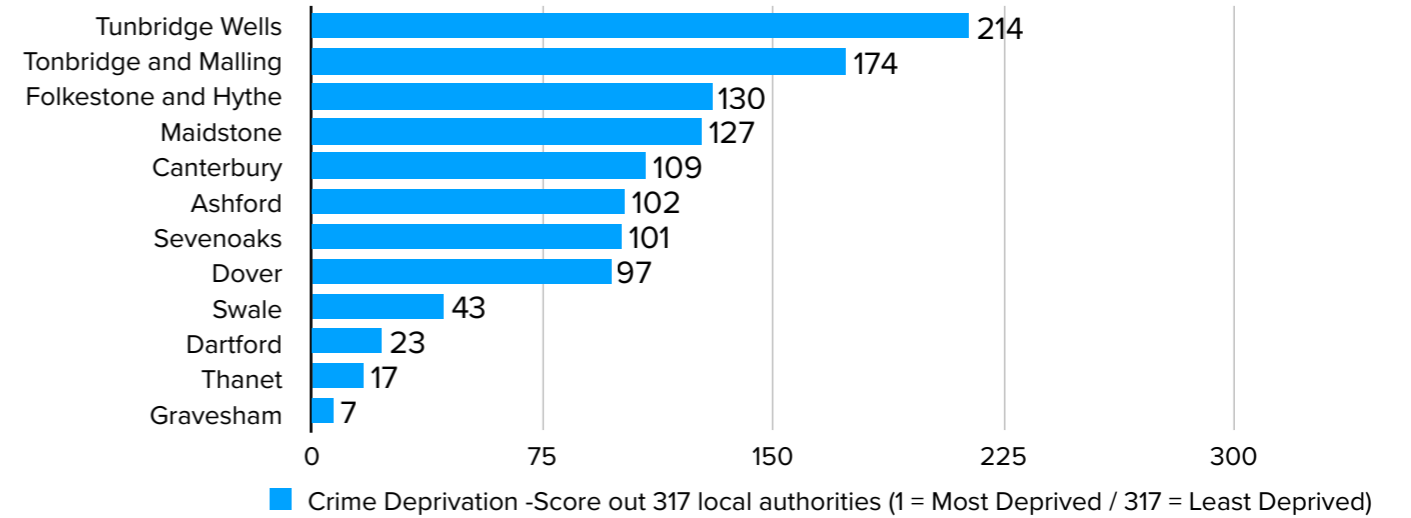
Health Deprivation -Score out of 317 local authorities (1 = Most Deprived / 317 = Least Deprived)



The above graph shows Sevenoaks to be the least health deprived and Thanet to be the most health deprived. Folkestone & Hythe is ranked as the third most deprived for health out of the twelve Kent local authority areas.

5. Crime:

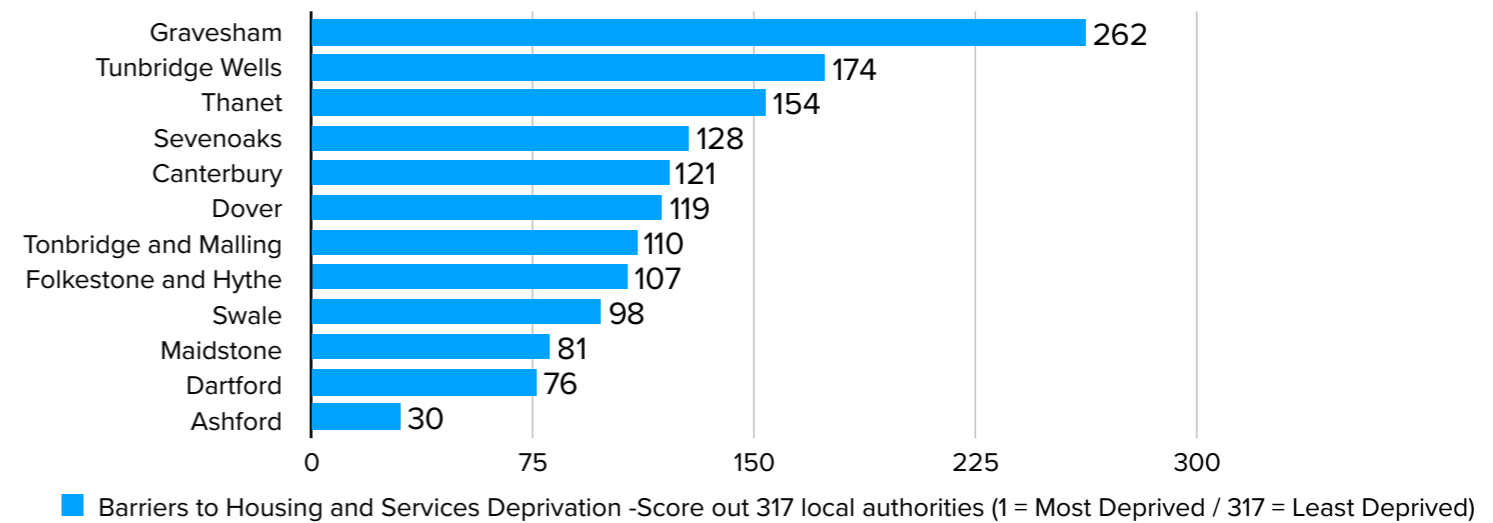
Crime Deprivation -Score out of 317 local authorities (1 = Most Deprived / 317 = Least Deprived)



The above graph shows Tunbridge Wells to be the least crime deprived and Gravesham to be the most crime deprived. Folkestone & Hythe is ranked as the third least deprived for crime out of the twelve Kent local authority areas.

6. Barriers to Housing Services

Barriers to Housing and Services Deprivation -Score out of 317 local authorities (1 = Most Deprived / 317 = Least Deprived)

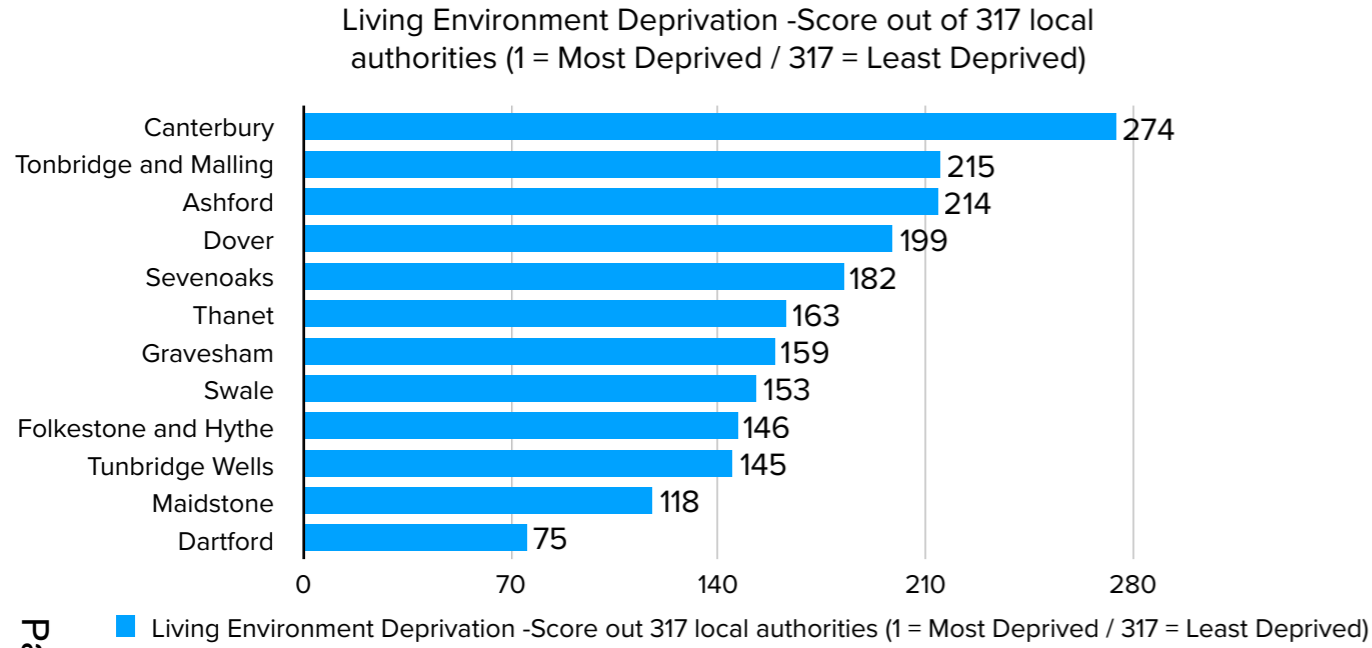


The above graph shows Gravesham to be the least deprived in relation to barriers to housing and services and Ashford to be the most deprived in this area. Folkestone & Hythe is ranked as the fifth most deprived for barriers to housing and services out of the twelve Kent local authority areas.

04 Understanding our Communities

Seven Domains of Deprivation (continued):

7. Living Environment:



The above graph shows Canterbury to be the least deprived in relation to Living Environment and Dartford to be the most deprived in this area. Folkestone & Hythe is ranked as the fourth most deprived for living environment out of the twelve Kent local authority areas.

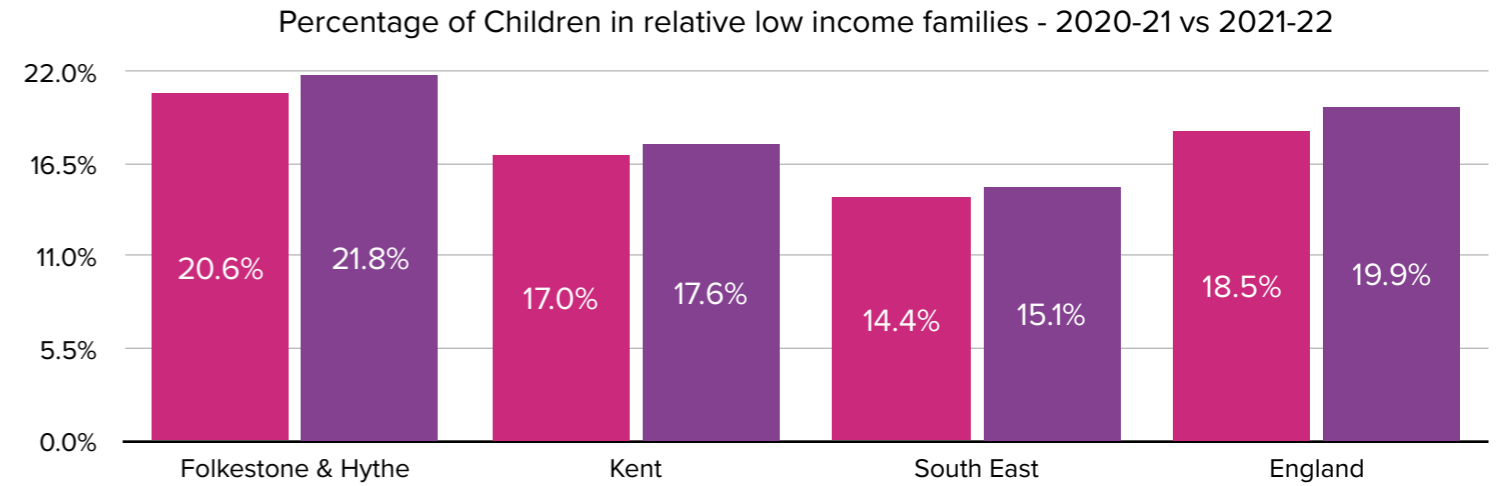
Child Poverty:

Child poverty figures show the proportion of children living in relative low income families.

Relative low income is defined as a family in low income before housing costs in the reference year.

The latest data from 2021/22 shows that 21.8% of children are in relative low income families in Folkestone & Hythe and this is “significantly worse” than the average across Kent and the South East.

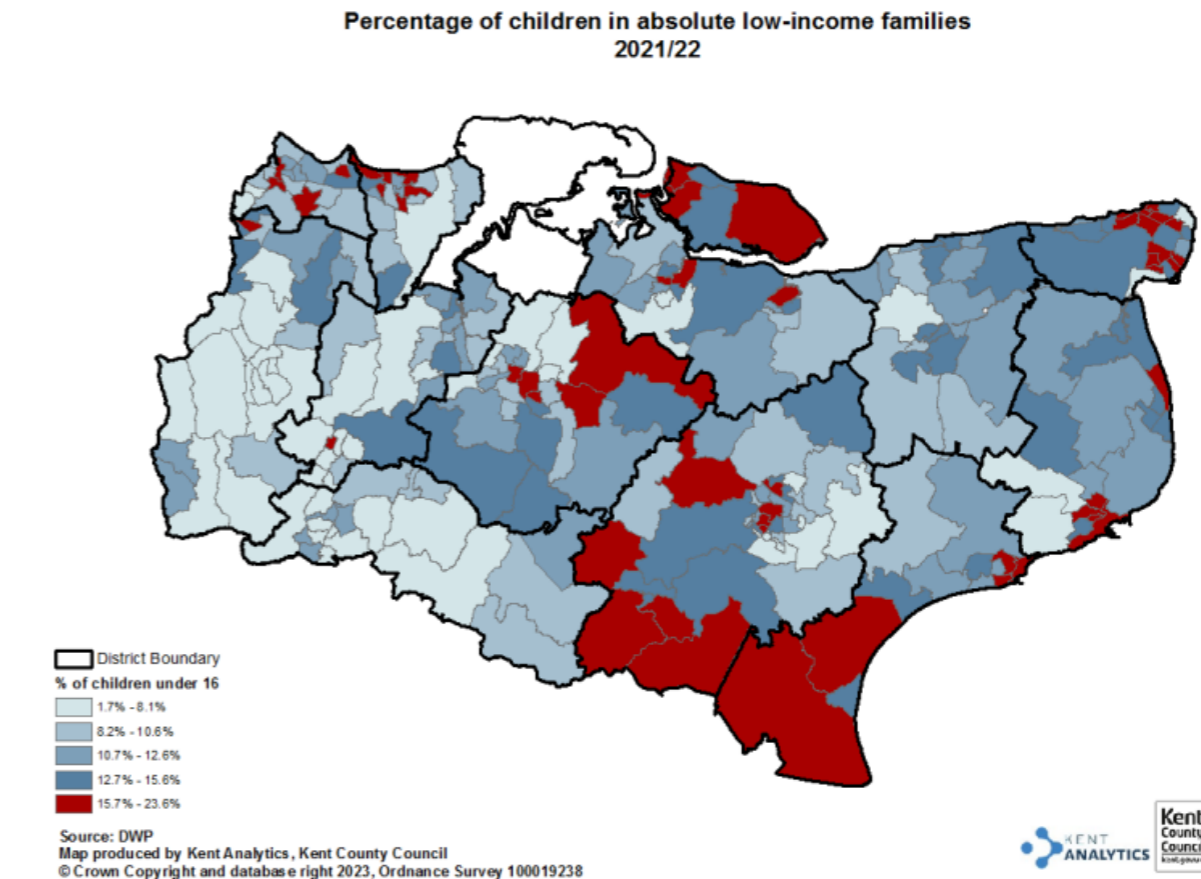
The following graph provides a comparison between the 2020/21 and 2021/22 years.



Source: KCC Strategic Commissioning Statistical Bulletin 2023 – Children Poverty

The heat map below shows the percentage of children living in relative low income families across Kent wards in 2020/21. In Folkestone & Hythe, the map shows the highest proportion of children living in relative low income families (shaded in dark red) to be situated in the Folkestone Central, East and Harbour wards as well in the Romney Marsh and Walland and Denge Marsh wards in the western part of the district.

Map 1: Percentage of children living in absolute low-income families



04 Understanding our Communities

Data Sources:

The most up-to-date data at the time of publication has been utilised when compiling this demographic and socio-economic information. Further information can be found at the following sources:

General:

The 2021 district profile, published by Kent County Council's Strategic Business Development & Intelligence Unit on 8th December 2023, contains data from the ONS mid- 2022 population estimates as well as the 2021 census:

[Area profiles - Kent County Council](#)

Population:

Census 2021 (Interactive Maps) - [Census Maps - Census 2021 data interactive, ONS](#)

KCC Interactive mid-year population estimate toolkit: provides access to population estimates by gender and single year of age for all 12 Kent local authority districts and Kent County as a whole back to 2000: https://www.kent.gov.uk/__data/assets/excel_doc/0009/12879/Interactive-mid-year-population-estimates-toolkit.xlsm

KCC Housing Led Forecasts Interactive population toolkit (2021): https://www.kent.gov.uk/__data/assets/excel_doc/0019/12880/Interactive-population-forecast-toolkit.xlsm

ONS: Births in England and Wales: Summary Tables (2022) <https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/livebirths/datasets/birthsummarytables>

ONS: Deaths Registered monthly in England and Wales (2022) <https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/datasets/monthlyfiguresondeathsregisteredbyareaofusualresidence>

ONS: Conception Statistics – England and Wales (2019) <https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/conceptionandfertilityrates/datasets/conceptionstatisticsenglandandwalesreferencetables>

ONS: Population of State Pension age and working age, and old age dependency ratios, for local authorities and regions in England: www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/datasets/populationofstatepensionageandworkingageandoldagedependencyratiosforlocalauthoritiesandregionsinengland

[datasets/](#)

[populationofstatepensionageandworkingageandoldagedependencyratiosforlocalauthoritiesandregionsinengland](#)

ONS: Life expectancy for local areas of the UK: between 2001 to 2003 and 2018 to 2020 [Life expectancy for local areas of the UK - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandlifeexpectancy/lifeexpectancyforlocalareasoftheuk)

KCC Births and Deaths in Kent - 2020

https://www.kent.gov.uk/__data/assets/pdf_file/0003/13827/Births-and-deaths-bulletin.pdf

Labour market profiles of the district are constantly updated by the ONS National Online Manpower Information System (NOMIS): <http://www.nomisweb.co.uk/reports/Imp/la/1946157318/printable.aspx>

NOMIS: annual survey of hours and earnings (2023)

<https://www.nomisweb.co.uk/datasets/asher>

Health:

Public Health England's [Public Health Outcomes Framework \(Folkestone & Hythe\) - at a glance summary \(phe.org.uk\)](#)

[KCC Strategic Commissioning Statistical Bulletin 2023 – Children Poverty](#)

[Suicides in England and Wales by local authority \(2022\) - Office for National Statistics \(ons.gov.uk\)](#)

[Quality and Outcomes Framework, 2022-23 - NHS Digital](#)

Deprivation: Ministry of Housing Communities and Local Government (MHCLG) - English indices of multiple deprivation 2019

<https://www.gov.uk/government/statistics/english-indices-of-deprivation-2019>

Section 5

Compliments, Feedback and Complaints

Introduction

In this section we provide an outline of the comments we have received from customers relating to equality and diversity matters.

The council records compliments, feedback and complaints received from customers. These are categorised, analysed and reported on so that improvements can be made to services.

Further information can be found at: <https://folkestone-hythe.gov.uk/your-council/council-information/make-a-complaint-or-compliment>

05 Compliments, Feedback and Complaints

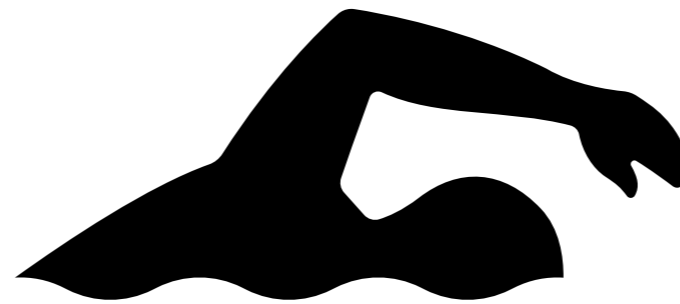
Compliments, Feedback and Complaints - Overview in 2022-23:

During 2022/23 the council received 270 complaints and 147 compliments. Of the 270 complaints received: :



Stage One complaints are investigated and responded to by the complaints investigator or a specialist of the relevant service area. If the complainant is not satisfied with the response their complaint will be progressed to Stage Two, where it is investigated by the lead officer of the service area to which the complaint relates.

Of the 270 complaints received, 1 was related to equality and diversity issues. The nature of the complaint related to:



Complaint regarding Hythe Pool and suitable swimwear

All complaints are investigated thoroughly, and each complainant was formally written to with a detailed explanation of the findings. Where appropriate the council apologised and indicated how it would improve service delivery in the future.

Section 6

Equality Objectives

Introduction

In this Annual Equality and Diversity Report we have given an overview of the issues affecting the district, the policies and procedures the council has in place and the work we are doing, on our own and with our partners to address these issues.

The Equality and Diversity Policy (2021-25) guides this work and has an associated action plan. The final section provides an update on these actions.

06 Equality Objectives

	Action	Lead Function	Deadline	2022-23 Update
1.	Ensuring Equality Impact Assessments (EIAs) are completed where they are required (i.e. where the council introduces a new policy or service, or where there is a significant revision to an existing policy or service) and that they are carried out in the correct manner (e.g. with appropriate consultation with affected parties).	Performance and Improvement Specialist	Ongoing	EIAs are documented as part of the service planning process annually and managers complete EIAs when a policy or service is introduced or revised. The EIAs undertaken during the year have been documented in section 2 of this report.
2.	To introduce a dedicated complaints report that will focus on equality related issues that arise under the council's corporate complaints policy and will reported to the Corporate Leadership Team on a six month basis to assist with identifying and addressing any equality related issues within a council service.	Case Management	Ongoing	All complaints with an equality and diversity element are logged with a specific suffix for reporting purposes. Any subsequent actions taken and lessons learnt are recorded and monitored through Salesforce to ensure completion of any actions. Lessons learnt and actions taken are published in the annual complaints report.
3.	Involving services users and local communities (including people with protected characteristics) in the design of council services.	All Service Leads	Ongoing	<p>We have asked community hubs to continue with warm spaces as they have been found helpful by the local community.</p> <p>We have listened to views of the community on closure of KCC youth facilities and advocated on their behalf by responding to KCC consultations to help shape future services.</p> <p>Polling review consultation included communications being sent to over 900 community contacts which included those charities and groups that also help people with protected characteristics.</p> <p>Questionnaires relating to the design of parking schemes were sent to disability groups etc. for feedback</p>
	All managers undertaking stage 2 EIA exercise will consult appropriately and publish the results.	All Service Leads	As required	No Stage 2 EIAs required to be completed during the year.

06 Equality Objectives

	Action	Lead Function	Deadline	2022-23 Update
	<p>4. Routinely publishing the result of consultation exercises on the council website and disaggregating the results (where possible) for different equality groups.</p>	All Service Leads	As required	<p>During the year, the council undertook the following public consultations to encourage local people to have their say helping to assess what impact proposed decisions will have on different groups:</p> <ul style="list-style-type: none"> • Draft Statement of Community Involvement (SCI) • Draft Community Infrastructure Levy (CIL) Charging Schedule • Draft Green and Blue Infrastructure Strategy • Polling District, Places and Stations Review • Folkestone – A brighter future
Page 93	<p>Run training for staff on the particular issues faced by minority and vulnerable groups to support them to deliver appropriate services to ALL customers (e.g. Dementia awareness).</p>	Organisational Development	Ongoing	<p>Given the increased prevalence of mental health issues in the population at large, we have continued to focus on developing staff understand of this broad area.</p> <p>This includes training for relevant staff in 2022-23 on: Men’s Mental Health (Best me in 45)</p> <ul style="list-style-type: none"> • Supporting Customers with Addiction (Money Advice Trust) • Self-Harm Awareness • Post-Natal Depression Awareness • Schizophrenia Awareness • Understanding Phobias <p>We have expanded our Mental Health First Aider group to include members of the Grounds Maintenance team, and now have a total of 45 Mental Health First Aiders (c9% of our workforcel).</p> <p>We have also provided training on Menopause Awareness, and Understanding & Supporting Customers with Serious Illnesses.</p>

06 Equality Objectives

	Action	Lead Function	Deadline	2022-23 Update
6.	To ensure councillors and staff receive regular updates on Prevent, Safeguarding vulnerable people and partnership working as part of the council's wider role.	Community Safety Specialist Health, Wellbeing & Partnerships Senior Specialist	Ongoing	This work has been undertaken in various ways including Cllr meetings to look at PREVENT and safeguarding. The Safeguarding policy reviews allows members to also receive updates. Information is cascaded to key staff. Management meetings and staff briefings have also allowed for sharing of information.
7	Equality and diversity training is part of our induction and for all staff to undertake a mandatory refresh e-learning module every 3 years.	Organisational Development	Ongoing	We continue to require regular EDI training. As at December 2023, 80% of staff were up to date with their EDI e-learning. In January we will be pushing for further completion.
8.	Increase options for customers to connect and transact with us online to help focus resources on supporting customers who are not able to go online as defined within the council's Customer Access Strategy.	All Service Leads	Ongoing	The Community hubs have helped support the KCC led digital champions work, which aims help those unable to get online (either because of lack of devices or lack of knowledge). The hubs host drop in sessions where people can go to learn how to use their devices to get online. The MyAccount has been redesigned during the year to make it more mobile friendly. An Additional 48 online forms created. Website reviewed in accordance with accessibility standards and improvements made. Most of the parking services applications such as those for disabled bays, controlled parking zones, suspensions, and permits have now been made available online. A few residents who are unable to access the online facilities are sent paper applications by post.

06 Equality Objectives

	Action	Lead Function	Deadline	2022-23 Update
9.	Produce a ‘Resident Involvement Strategy’, ensuring that involved residents reflect the diversity of the council’s tenants and leaseholders.	Housing Operations Lead Specialist	March 2021	The Tenant Engagement Strategy was approved by Cabinet on 14 th April 2021.
10.	We will continue to evaluate our resourcing strategies, maximise accessible development opportunities, and promote flexible working approaches to support equality and diversity in our workforce.	Human Resources	Ongoing	<p>The council has an agile working framework in place alongside a set of principles to better enable flexible working approaches. The council’s People Strategy also supports a culture that, amongst other things, supports smarter agile and flexible working. In 2022-23 the council enhanced this further by joining a shared workspaces programme that enables staff to work from other local government offices across Kent.</p> <p>The review and development of our recruitment and retention strategies is also a theme within our People Strategy.</p> <p>Recording of training sessions has advanced accessibility as they can be viewed as any time. The development of hybrid training sessions has further advanced this.</p> <p>Specific management training on recruitment and selection strategies and practices took place in May 2022.</p>



www.folkestone-hythe.gov.uk



This Report will be made public on 12 March 2024



Report Number **C/23/97**

To: Cabinet
Date: 20 March 2024
Status: Non-Key Decision
Director: Andy Blaszkowicz, Corporate Director – Housing & Operations
Oportunitas Chair: Councillor James Butcher

SUBJECT: OPORTUNITAS PROGRESS REPORT 2023/24 TO 31 JANUARY 2024

SUMMARY: This report provides an update from the Board of Oportunitas Ltd (“the company”) on activities undertaken so far during the 2023/24 financial year, including a projected outturn for the profit and loss account for the period to 31 March 2024 compared to the original forecast, based on activity to 31 January 2024. This report is in-line with the requirement contained in the Shareholder’s Agreement between the company and the Council. The chair of Oportunitas will be available at the meeting of Cabinet to present the report and to address any questions.

REASON FOR RECOMMENDATIONS:

Cabinet is asked to agree the recommendations set out below because:-

- a. Oportunitas Ltd (“the company”) is required to provide regular updates to Cabinet as set out in the Shareholder’s Agreement between the company and the Council.

RECOMMENDATIONS:

1. To receive and note report C/23/97.
2. To note the latest projected outturn for the Profit and Loss Account of Oportunitas Limited for the financial year ending 31 March 2024.

1. BACKGROUND

1.1 The report sets out the company's latest trading position and projected financial outturn for the financial year ending 31 March 2024, based on activity to 31 January 2024, and is a requirement of the Shareholder's Agreement with the Council. Cabinet considered the previous progress report for the company on 13 December 2023, based on activity to 31 October 2023.

1.2 Specifically, this report provides an update on the following issues:-

- i) the company's property portfolio,
- ii) the latest rent arrears position for the company's property portfolio,
- iii) the projected profit and loss account outturn for the year ending 31 March 2024 compared to the budget and previous projection,
- iv) the net return to the Council as shareholder for the year ending 31 March 2024,
- v) the provisional outturn for the capital cost and funding for the Royal Victoria Hospital (RVH) project,
- vi) the company's Business Plan for 2024/25, and
- vii) the financial review of the company being undertaken

2 INVESTMENT PORTFOLIO UPDATE

2.1 Property Portfolio

2.1.1 The company's current property portfolio remains at 76 residential units and 1 commercial unit, summarised in the table below:

Address	Units	Type
Walter Tull Way, Folkestone	5	2 x 1 bed units 2 x 2 bed units 1 x 3 bed unit
2 Grove Terrace, Dover Road, Folkestone	1	1 x 4 bed unit
15 Grace Hill, Folkestone	5	5 x 1 bed units
15 Grace Hill, Folkestone	1	1 x commercial unit
82 - 84 Leyburne Road, Dover	8	8 x 2 bed units
19 Castle Hill Avenue, Folkestone	10	9 x 1 bed units 1 x 2 bed unit
84 Sidney Street, Folkestone	4	3 x 1 bed units 1 x 2 bed unit
1 Claremont Road, Folkestone	5	5 x 1 bed units
10 Radnor Park Avenue, Folkestone (Royal Victoria Hospital – Phase A)	18	15 x 2 bed units 3 x 1 bed units
8a Radnor Park Avenue, Folkestone (Royal Victoria – Phase B)	19	17 x 2 bed units 2 x 1 bed units
Total	76	

2.1.2 At the time of writing, all residential properties are currently tenanted apart from one unit at Leyburne Road in Dover, where works are on-going to enable it to be let. Where vacancies have occurred the company's agents have worked hard to minimise void periods, usually limited to an average of about one month. The company uses Smith Woolley as its main managing agent for the property portfolio. Management of all the assets within the company continue to be kept under regular review. The commercial unit at 15 Grace Hill, Folkestone is currently vacant due previous substantial damage following a leak from the flat above, and works are currently in progress to remedy this and should be completed by April 2024. £25k has been provided in the 2023/24 projection for these works.

2.1.3 The company continues to maintain a property safety register to document key areas of safety compliance across its property portfolio including, but not limited to, gas, fire, electrical and legionella. The register is continually reviewed with both managing agents and then shared with the Board members each month. The January 2024 position of the register identifies no compliance issues within the portfolio.

2.2 Tenant Rental Arrears

2.2.1 At 31 January 2024 the property portfolio has tenant rental arrears of £14.4k, a slight increase of £0.2k compared to the previously reported total of £14.2k at 31 October 2023. The arrears have reduced by £2.1k from the total at 31 March 2023.

2.2.2 There are six tenants with rental arrears of one month or more as at 31 January 2024 and the managing agent is working closely with those tenants to actively reduce this. £5.3k arrears relates to one tenancy. In this case, the managing agent is in regular contact with the tenant who is currently paying their basic monthly rent and making additional payments towards their arrears through a debt management plan. The position continues to be closely monitored for all the arrears and action may be taken by the company, using the Council's Legal Services team in conjunction with the managing agents, in-line with the company's Debt Management Policy.

2.3 Royal Victoria Hospital (RVH)

2.3.1 Since the last update to Cabinet on 13 December 2023, the company has successfully let all 19 units of phase 2 of the RVH Development. There was a strong demand for these units and the company is receiving an average rental yield of 7% from them with the monthly rents ranging from £800 to £1,095, generating a total rent of £19,315 per month.

2.3.2 The total capital cost and funding for both phases of the RVH development is summarised below:

	Contract Cost	SDLT	Total
<u>Expenditure</u>	£m	£m	£m
Phase 1	3.150	0.112	3.262
Phase 2	3.309	0.099	3.399

Total expenditure	6.450	0.211	6.661
<u>Funding Utilised</u>	Approved £m	Utilised £m	Balance £m
FHDC equity	(4.430)	(4.430)	-
FHDC loan	(2.470)	(2.231)	(0.239)
Total funding	(6.900)	(6.661)	(0.239)

2.3.3 The reason for the overall cost being slightly lower than the approved funding is due to the Stamp Duty Land Tax (SDLT) being less than originally anticipated. This will lead to a small saving in interest costs in 2023/24 and future years.

3. FINANCIAL UPDATE FOR 2023/24

3.1 The company's latest financial update for 2023/24 was reported to the Board on 7 March 2024 and a copy is shown in **appendix 1** to the report. The update shows the latest projected outturn for the profit and loss account compared to both the original forecast and previous projection for the current financial year to 31 March 2024.

3.2 In summary, the company's profit and loss account is projected to make an operating loss of approximately £11k for the year, a reduction of £39k compared to the original forecast operating loss of £50k. The main reasons for the reduction in the loss are;

- i) improved residential rental income £17k
- ii) saving on interest costs for RVH borrowing £14k

3.3 It should be noted the profit and loss account excludes any change in unrealised property values. The company's property portfolio will be revalued as at 31 March 2024 ahead of finalising the accounts for the financial year. HM Land Registry data for 2023 shows local residential property prices have seen an average reduction of about 7% for the year to 31 December 2023, meaning it is quite likely there will be a downward revaluation of the portfolio this year. The actual position will be reported to the Board as part of the annual statement of accounts process later this year, and in turn Cabinet.

3.4 The latest projected outturn operating loss of £11k is some £105k different than the operating profit of £94k reported to Cabinet on 13 December 2023. The main reason for this difference is interest required to be accrued to the Council in 2023/24 towards the RVH project being omitted from the previous projection.

3.5 The company is projected to have an accumulated operating loss of £440k at 31 March 2024, about £6k lower than originally forecast for the year.

4. SHAREHOLDER RETURN

4.1 The latest projected net financial benefit to the Council from the company in 2023/24 compared to the original estimate is shown in the table below:

	Estimate 2023/24 £'000	Projection 2023/24 £'000
Loan interest	307	293
Loan repayments	32	32
Staff costs - reimbursement	28	28
Members Allowances - reimbursement	12	9
Grounds Maintenance recharge	8	8
Total Benefit	387	370
Less, FHDC capital financing cost	(500)	(583)
Net Financial Deficit	(113)	(213)

4.2 The reduction in the benefit to the Council is mainly due to an increase in the capital financing cost, where the average cost of borrowing in 2023/24 is projected to have risen to 5.95%, an increase of 1.45% compared to the 4.5% originally forecast.

5. COMPANY FINANCIAL REVIEW AND NEXT BUSINESS PLAN

5.1 As outlined to Cabinet on 13 December 2023, a **financial review** of the company has been commissioned and is being undertaken by Arlingclose Limited, the Council's treasury and capital adviser. The review includes:

- Financial viability of the company and due diligence
- Assessment and modelling of profitability/breakeven
- Assessment of leverage, debt:equity ratio, including options for debt restructuring and identification of potential savings

5.2 Officers have been working closely with Arlingclose on the review and the outcome of this work is expected to be reported to the company's Board at a special meeting either later in March or in early April 2024.

5.3 The review will help to inform the company's next **business plan** covering a period from 2024/25 and it will also be considered by the Board at the special meeting.

5.4 The outcome of the financial review and the next business plan will then be submitted to Cabinet for consideration, planned for April 2024. Cabinet is required to approve the business plan and any key financial changes affecting the company.

6. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

- 6.1 **Legal (NM)** – The power for councils to trade their services for cost recovery only has been in force for many years. The power for councils to establish companies to trade for profit is set out in the Localism Act 2011. The company model provides a mechanism for local councils to operate more commercially and generate profit.

Officers have taken specialist legal advice from Bevan Brittan and will continue to work with these external legal advisers as and when the need arises.

- 6.2 **Finance (LW)** – This report has been prepared in conjunction with Financial Services and there are no further comments to add.
- 6.3 **Equalities (GE)** – There are no diversity or equalities implications arising from this report.
- 6.4 **Climate Change (OF)** - There are no climate change implications arising from this report.

7. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officers prior to the meeting:

Lee Walker, Interim Accountant
Telephone: 01303 853676
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Gavin Edwards, Board Administrator (Oportunitas Ltd)
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Email: gavin.edwards@folkestone-hythe.gov.uk

Appendices:

Appendix 1: Oportunitas Ltd Board Meeting 7 March 2024 - Financial Update Report for 2023/24

Oportunitas Board Meeting 07 March 2024
Oportunitas Limited – Financial Update for 2023/24
Prepared by Lee Walker – Interim Accountant

Summary: This paper provides an update of the company's projected financial position for the financial year ending 31 March 2024, based on income and expenditure to 31 January 2024. It also summarises the provisional outturn of capital expenditure incurred and funding utilised for both phases of the now completed Royal Victoria Hospital project.

The headline financial data from the report is shown in the table below:

Summary Key Information	2023/24	2023/24	2023/24
		<i>Previous Projected Outturn</i>	<i>Latest Projected Outturn</i>
	Budget		
	£	£	£
Operating Surplus / (Deficit) for period	(49,637)	94,029	(10,636)
Operating Loss b/f	(396,714)	(348,000)	(429,246)
Operating Loss c/f	(446,351)	(253,971)	(439,882)
Rental Income	562,830	594,825	579,627
Rental Yields	5.67%	6.00%	5.90%
Shareholder Return (Income)	(387,452)	(285,741)	(370,226)

Recommendations:

- 1) **The Board note the latest financial position for 2023/24 outlined in this paper.**

1. Introduction and Background

- 1.1 This paper provides an update of the company's financial position for the financial year ending 31 March 2024, based on income and expenditure to 31 January 2024, and builds upon the previous position reported to the Board on 23 November 2023. It provides the latest projected outturn for the company's trading activities compared to the approved business plan for the year and explains the key variances. The paper also summarises the provisional outturn of capital expenditure incurred and funding utilised for both phases of the now completed Royal Victoria Hospital (RVH) project.

Appendix 1

2. Profit and Loss Account Projected Outturn 2023/24

- 2.1 The table below provides the latest projection of the outturn position of the company's trading activities for the financial year to 31 March 2024, compared to the approved business plan forecast and the previous projection for the year, reported to the Board on 23 November 2023. This excludes the impact of any changes in valuation for the company's property portfolio, covered later in this paper.

Profit and Loss Account	2023/24	2023/24	2023/24	2023/24
	Budget	Previous Projected Outturn	Latest Projected Outturn	Variance Budget to Latest Projection
	£	£	£	£
Property Rental				
Rental Income	562,830	594,825	579,627	16,797
Rental Expenses	(187,128)	(177,168)	(182,149)	4,979
Special Item - Stock Condition Survey	(20,000)	(20,000)	0	20,000
Special Item - Major External Repairs & Redecorations	(32,150)	(32,150)	(32,150)	0
Net	323,552	365,507	365,328	41,776
Grounds Maintenance				
Income	10,167	10,167	10,167	0
Expenses	(8,134)	(8,134)	(8,134)	0
Net	2,033	2,033	2,033	0
Overheads				
Directors Remuneration	(11,878)	(11,878)	(8,980)	2,898
FHDC Officer Support	(28,560)	(28,560)	(28,560)	0
Operating Expenses	(27,409)	(27,409)	(27,409)	0
Special Item - Financial Review	0	0	(20,000)	(20,000)
Total Overheads	(67,847)	(67,847)	(84,949)	(17,102)
Loan Interest	(307,376)	(205,665)	(293,049)	14,327
P & L Operating Surplus / (Deficit) for period	(49,637)	94,029	(10,636)	39,001
P & L Operating Loss b/f	(396,714)	(348,000)	(429,246)	(32,532)
P & L Operating Loss c/f	(446,351)	(253,971)	(439,882)	6,469

- 2.2 The projected outturn shows an operating loss of almost £11k for the year, an improvement of £39k compared to the anticipated loss of almost £50k in the business plan. The main reasons for this variance are outlined below:

Variances 2023/24 Business Plan to Projected Outturn		£'000
i)	Rental Income – improved rental income mainly from RVH 2 flats	(17)

Appendix 1

ii)	Housing Rental Expenses – reduction in provision for bad debts (£17k), less increase in cost of repairs and maintenance to stock (£12k)	(5)
iii)	Loan Interest Saving – borrowing required for overall RVH project lower than originally anticipated	(14)
iv)	Directors Remuneration – saving mainly due to some Board members already in receipt of FHDC Special Responsibility Allowance for other roles	(3)
Total reduction in operating loss compared to business plan		(39)

2.3 The projected reduction to the bad debts provision of £17k is being made because adequate provision has been made in previous financial years for potential doubtful debts, mainly rent arrears. The position will be closely monitored in future years to ensure reasonable provision continues to be made.

2.4 The overall rental yield currently being received on the company’s property portfolio is 5.90%, an increase of 0.23% compared to the budgeted value of 5.67%. This is largely due to higher rents being achieved on the units from the second phase of the RVH scheme.

2.5 The stock condition survey originally planned for 2023/24 has been delayed until 2024/25 and the budget of £20k is now being used to meet the cost of the financial review of the company being undertaken by Arlingclose Limited.

2.6 The company’s accumulated operating loss, before the impact of any property valuation changes, is forecast to increase by £11k from £429k at 31 March 2023 to £440k at 31 March 2024. It should also be noted the 2023/24 budget for the operating loss brought forward from 2022/23 has been amended from £348k, shown in the previous update to the Board, to £397k, in line with the approved business plan for the year. A minor revision has also been made to the loan interest budget for the same reason.

2.7 Comparison of latest projected outturn to previous projected outturn at 31 March 2024

2.7.1 The table at 2.1, above, shows the latest projected outturn to be an operating loss of £11k, compared to the previously reported operating profit of £94k, a difference of £105k. The main reasons for the change in projections are:

		£'000
i)	Interest is required to be accrued in 2023/24 for the loan advanced from the Council towards the RVH project, previously omitted	87
ii)	Property rental income lower than previously projected	15
Total		102

Appendix 1

2.7.2 It should also be noted that the cumulative profit and loss operating loss brought forward value is now £429k rather than £348k previously reported. The latest projection reflects the actual position from the audited accounts to 31 March 2023.

2.8 Return to Shareholder

2.8.1 The projected gross income return for 2023/24 to the Council as the sole shareholder of the company is summarised in the table below:

Return to Shareholder	2023/24	2023/24	2023/24
		Latest Projected Outturn	Variance Budget to Latest Projection
	Budget		
	£	£	£
Loan Interest	(307,376)	(293,049)	14,327
Grounds Maintenance Income	(8,134)	(8,134)	0
Members SRA recharge	(11,878)	(8,980)	2,898
Staff recharges	(28,560)	(28,560)	0
Total General Fund Income	(355,948)	(338,723)	17,225
Loan principal repayment	(31,504)	(31,504)	0
Total Income	(387,452)	(370,226)	17,225

2.8.2 The Board are reminded the Council has incurred capital financing costs of its own through prudential borrowing incurred for the loan and equity funding provided to the company to meet the cost of the RVH project and is not reflected in the table above. This is projected to be approximately £583k for 2023/24. Cabinet will consider the overall position in its next quarterly review report of the company.

2.9 Property Valuations

2.9.1 The company is required to revalue its property portfolio as at 31 March of each financial year. Any change in value over the year is required to be shown in the profit and loss account as an unrealised gain or loss as well as being reflected on the balance sheet. At 31 March 2023 the company had a cumulative unrealised valuation gain of about £1.64m, net of deferred Corporation Tax. This means that the company had an accumulated profit of £1.21m at 31 March 2023 (£1.64m accumulated unrealised valuation gain, less £0.43m accumulated operating loss).

2.9.2 A revaluation to the property portfolio as at 31 March 2024 will take place shortly and, therefore, no valuation change is included in the projected outturn. HM Land Registry data for 2023 shows local residential property prices have seen an average reduction of about 7% for the year to 31 December 2023, meaning it is quite likely there will be a downward revaluation of the portfolio this year. The actual position will be reported to the Board as part of the annual statement of accounts process later this year.

3 Royal Victoria Hospital (RVH) Development

- 3.1 As the Board are aware, the company completed on phase 2 of the RVH project in late 2023. The table below summarises the final position for capital expenditure incurred and funding utilised for the whole RVH development:

	Contract Cost £m	SDLT £m	Total £m
<u>Expenditure</u>			
Phase 1	3.150	0.112	3.262
Phase 2	3.300	0.099	3.399
Total expenditure	<u>6.450</u>	<u>0.211</u>	<u>6.661</u>
	Approved £m	Utilised £m	Balance £m
<u>Funding Utilised</u>			
FHDC equity	(4.430)	(4.430)	-
FHDC loan	<u>(2.470)</u>	<u>(2.231)</u>	<u>(0.239)</u>
Total funding	<u>(6.900)</u>	<u>(6.661)</u>	<u>(0.239)</u>

- 3.2 The reason for the overall cost being slightly lower than the approved funding is due to the Stamp Duty Land Tax (SDLT) being less than originally anticipated. This will lead to a small saving in interest costs in 2023/24 and future years.

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This Report will be made public on 12 March 2024



Report Number **C/23/94**

To: Cabinet
Date: 20 March 2024
Status: Non-Key Decision
Director: Andy Blaszkwicz, Corporate Director of Housing and Operations
Gill Butler, Chief Officer Housing
Cabinet Member: Councillor Shoob, Cabinet Member for Housing and Homelessness

SUBJECT: HOUSING COMPLIANCE (LEGIONELLA AND LIFT SAFETY) POLICIES

SUMMARY: This report presents two policies in relation to health and safety compliance for the Council's housing landlord service. These are, specifically:

1. Housing Compliance (Legionella) Policy
2. Housing Compliance (Lift Safety) Policy

REASONS FOR RECOMMENDATIONS:

Cabinet is asked to agree the recommendations set out below because: -

- a. There have been changes in legislation and best practice since the policies were introduced in 2021. Cabinet needs to be made aware of these changes and the policies updated.
- b. The policies will expire in April 2024 and therefore require updating/renewing to ensure the Council is fully compliant with health and safety legislation.

RECOMMENDATIONS:

1. To receive and note report C/23/94.
2. To approve the proposed changes to the Council's Housing Compliance (Legionella and Lift Safety) Policies outlined in the report and in the appended track-changed documents.

1. BACKGROUND

- 1.1 Six policies covering the FLEGAL (Fire, Legionella, Electric, Gas, Asbestos and Lifts) areas of health and safety compliance were approved by Cabinet in May 2021. These policies are due to expire in April 2024.
- 1.2 An audit on tenant health and safety was conducted by the East Kent Audit Partnership (concluded in August 2023) which awarded the Council with 'Reasonable Assurance' that it has a robust system of internal controls in place for the management of tenant health and safety. Part of this assurance is based on evidence that the Council has clear and up-to-date policies on the 'big six' aforementioned 'FLEGAL' areas of tenant health and safety compliance.
- 1.3 All six policies have undergone an internal review to ensure that they reflect current legislation and best practice. As a result, all six policies have been amended to reflect changes in regulatory powers to the effect that, from 01 April 2024, the Regulator of Social Housing will be able to proactively intervene or carry out inspections where landlords are underperforming.
- 1.4 In addition, all six policies now have corresponding paragraphs in relation to 'controlled access' that stipulate that the Council will make every effort to obtain access to properties to carry out safety checks, giving reasonable notice, before the inspection/certificate is due to expire. However, if access has still not been granted, or in cases of emergency, we will take enforcement action to gain entry to the property if necessary.
- 1.5 Following on from Gas and Fire safety (presented to Cabinet 31 January 2024) and Asbestos and Electric safety (presented 28 February 2024) we now present policies for Legionella and Lift safety. Both policies have been updated with changes noted below (and highlighted as track changes at appendices 1 and 3).

2. HOUSING COMPLIANCE (LEGIONELLA) POLICY

- 2.1 Broadly, the aim of this policy is to meet the requirements of the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999 (the Management Regulations) and the Control of Substances Hazardous to Health Regulations 2002 (as amended) (COSHH). The Council has a legal obligation under COSHH to prevent or control exposure to biological agents, including legionella.
- 2.2 The Housing Compliance (Legionella) policy has been updated to ensure it reflects the current working practices of the housing compliance team. Aside from the amendments noted in 1.3 and 1.4 (above), no other significant changes have been made to this policy and there are no changes to the legal or regulatory framework that underpins the policy.

2.3 Minor changes we have made are:

- **Section 3 - Sanctions** noted in 1.3 above regarding regulatory powers
- **Section 4 - Responsibilities** updated to reflect current roles and accountabilities, particularly 4.7 re: 'duty holder' and 4.8 – competent persons
- **Section 5 - Obligations** clarified role of 'duty holder'
- **Section 6 - Statement of intent** noted in 1.4 above regarding 'controlled access'
- **Section 7 - Compliance Risk Assessment** references to HRA commercial stock removed
- **Section 10 - Performance reporting** updated to reflect current reporting requirements
- **Section 12 - Quality assurance** updated to reflect independent audit of water hygiene and contract responsibilities at least every three years
- **Section 14 - Equality and diversity** paragraph added to address potential tenant vulnerabilities when gaining access to undertake safety checks

2.4 Other minor changes and/or re-phrasing have been made throughout the policy.

2.5 Note that the register holding data against each property that has had a Legionella Risk Assessment along with their inspection dates, and the KPI 'Properties with a valid (in date) Legionella Risk Assessment' are the main controls for effective operational management of this policy.

3. HOUSING COMPLIANCE (LIFT SAFETY) POLICY

3.1 Broadly, the aim of this policy is to meet the requirements of the Health and Safety at Work Act 1974 and the Lifting Operation and Lifting Equipment Regulations 1998 (LOLER).

3.2 The Housing Compliance (Lift Safety) policy has been updated to ensure it reflects the current working practices of the housing compliance team. Aside from the amendments noted in 1.3 and 1.4 (above), no other significant changes have been made to this policy and there are no changes to the legal or regulatory framework that underpins the policy.

3.3 Minor changes we have made are:

- **Section 3 - Sanctions** noted in 1.3 above regarding regulatory powers
- **Section 4 - Responsibilities** updated to reflect current roles and practices in relation to reporting and 4.7 – competent persons/qualifications
- **Section 6 - Statement of intent** noted in 1.4 above regarding 'controlled access'

- **Section 7- Compliance Risk Assessment** references to HRA commercial stock removed
 - **Section 10 - Performance reporting** updated to reflect current reporting requirements
 - **Section 13 - Training** references to on-the-job training that we do not provide/ are not relevant, removed
 - **Section 14 - Equality and diversity** paragraph added to address potential tenant vulnerabilities when gaining access to undertake safety checks
- 3.4 Other minor changes and/or re-phrasing have been made throughout the policy.
- 3.5 The core asset register of all properties that have a lift, stair-lift and examination scheme in place, and which contains details of inspection records, plus the KPI 'Communal (passenger) lifts with a valid insurance check (LOLER)' are the main controls for effective operational management of this policy.

4. CONSULTATION

- 4.1 A working group of officers reviewed the policies between October-November 2023, including specialists in Legionella and Lift safety. In addition, the policies were reviewed by external consultants from PCM Consultancy. Details of the proposed changes were presented to the Strategic Tenants Advisory Panel (STAP) for information.

5. CONCLUSION

- 5.1 The appended policies have been updated according to current legislative requirements and best practice. It is therefore recommended that these changes and policies be approved by Cabinet before they expire in April 2024.

6. RISK MANAGEMENT ISSUES

6.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
If the policies expire or are not adopted by Cabinet, the Council cannot provide assurance that it recognises its duty, or that it has the necessary controls in place to manage Legionella and Lift safety in tenants' homes effectively	High	Low	The policies are being presented to Cabinet for approval before they expire. There are no fundamental changes to legislative or working practices being proposed.
Failure by the Council to discharge its responsibilities for Legionella and Lift safety could lead to a range of sanctions including prosecution by the Health and Safety Executive under the Health and Safety at Work Act 1974, and/or prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007	High	Low	An audit of tenant health and safety completed by the East Kent Audit partnership in 2023, provided 'reasonable assurance' that the Council has a robust system of internal controls in place. These policies form part of that assurance. In addition, KPIs for Legionella and Lift safety are monitored by the housing team weekly/monthly and reported to Cabinet quarterly.
Failure by the Council to demonstrate compliance with the regulatory framework and consumer standards may lead to an intervention and/or inspection by the Regulator of Social Housing (RSH)	High	Low	A mock assessment by the RSH against its new consumer standards (as part of a pilot exercise Jan-Mar 2023) concluded that the Council's data and controls did not suggest any potential breaches of consumer standards. The housing team are preparing to submit data against the standards for the 2023/24 year.

7. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

- 7.1 **Legal (NM)** – These policies have been updated in light of changes in legislation, which are identified in this report.
- 7.2 **Finance (LW)** - There are no direct financial implications within this report, however, consideration will need to be given with regard to any future impact on the HRA Capital Programme.
- 7.3 **Equality and Diversity (GE)** – An Equality Impact Assessment has been completed on both policies consideration given in relation to how we treat vulnerable tenants when attempting to gain access for safety checks.
- 7.4 **Climate Change Implications (AT)** - There are no climate change implications arising from this report.

8. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officers prior to the meeting:

Mick Hale, Housing Assets Lead Manager
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Jonathan Hicks, Policy and Performance Senior Specialist
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Email: jonathan.hicks@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report:

Appendices:

1. Housing Compliance (Legionella) policy (track changes)
2. Housing Compliance (Legionella) policy (clean version)
3. Housing Compliance (Lift Safety) policy (track changes)
4. Housing Compliance (Lift Safety) policy (clean version)



HOUSING COMPLIANCE (LEGIONELLA) POLICY

Date of policy	April 2021 <u>2024</u>
Date for review	April 2024 <u>March 2027</u>
Policy owner	Director of Housing and Operations, Folkestone & Hythe District Council
Approved by	Pending
Risk register rating	Medium
Associated documents	FHDC Legionella procedure

Revision history (internal F&HDC officer use only)			
Version	Date	Revision description	Policy author
V1.0	March 2020	Document created	Lee Woods (Pennington Choices)
V2.0	March 2021	Re-branding; update of key roles and responsibilities in line with FHDC reporting structure	John Holman, Assistant Director (Housing); Jonathan Hicks, Policy & Performance Specialist
V2.1 (draft)	December 2023	Changes made to reflect current working practises.	Keith Deane, Compliance Senior Specialist; Jonathan Hicks, Performance Specialist

V2.2 (draft)	January 2024	3.4 updated to reflect new powers by the Regulator; 6.15/16 added Controlled Access.	Jonathan Hicks, Performance Specialist
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NEW POLICY / POLICY REVIEW

New policy	
Early review – change in legislation	
Early review – significant changes in practice	
Review due – significant changes	
Review due – minor changes	YES
Other reason	

Reason for new policy / summary of changes

To ensure the accountability for managing this policy reflects the current working practices of the housing and compliance team

CONSULTATION

List of people/roles who have been consulted	Date
TBC	

EQUALITY IMPACT ASSESSMENT

	Completed	Date
	Yes	28 April 2021

DISSEMINATION

Role	Awareness	Essential
Compliance team		YES
All housing staff	YES	

TRAINING

Role	Trainer	Date completed
Compliance Specialists	Compliance Senior Specialist	September 2021

MONITORING AND COMPLIANCE

Method	Responsibility	Frequency
Internal audit review	EK Audit partnership	Annually or as required

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1. Purpose of the Policy

- 1.1 Legionellosis is a collective term for diseases caused by legionella bacteria including the most serious, Legionnaires' disease, as well as the similar but less serious conditions of Pontiac fever and Lochgoilhead fever. Legionnaires' disease is a potentially fatal form of pneumonia, and everyone is susceptible to infection. The risk increases with age, but some people are at higher risk, e.g. people over 45, smokers and heavy drinkers, people suffering from chronic respiratory or kidney disease, diabetes, lung and heart disease or anyone with an impaired immune system.
- 1.2 Legionnaires' disease is normally contracted by inhaling small droplets of water (aerosols), suspended in the air, containing the bacteria.
- 1.3 Therefore, it is important that Folkestone & Hythe District Council (hereafter referred to as 'the Council') control these risks by introducing measures which reduce and/or control the risk of legionella growth and proliferation of legionella bacteria and other organisms in the water systems and reduce, so far as is reasonably practicable, exposure to water droplets and aerosol in non-domestic and domestic stock as required. This will reduce the possibility of creating conditions in which the risk from exposure to legionella bacteria is increased.

2. Policy Objectives and Scope

- 2.1 The Council must establish a policy which meets the requirements of the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999 (the Management Regulations). In addition to this, the policy must provide assurance that measures are in place to demonstrate compliance with the Control of Substances Hazardous to Health Regulations 2002 (as amended) and to identify, manage and/or mitigate risks associated with hot and cold-water systems and any other systems that may cause exposure to legionella bacteria. The L8 approved code of practice, 'Legionnaires' disease: The control of legionella bacteria in water systems', is available to duty holders to provide practical guidance on how to comply with their legal duties in relation to legionella.
- 2.2 The Council must also ensure compliance with water hygiene legislation is formally reported to the Council's Cabinet (where appropriate), including the details of any non-compliance and planned corrective actions.
- 2.3 The policy is relevant to any Council employees, tenants, contractors and other persons or other stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services.

- 2.4 The policy should be used by officers to ensure they understand the obligations placed upon the Council to maintain a safe environment for tenants and employees within the homes of each tenant, and communal buildings.

3. Legal/Regulatory Framework

- 3.1 **Regulatory Standards** - the application of this policy will ensure compliance with the regulatory framework and consumer standards (Home Standard) for social housing in England, which was introduced by the Regulator of Social Housing (RSH).

- 3.2 **Legislation** - the principal legislation applicable to this policy is the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999 (the Management Regulations) and the Control of Substances Hazardous to Health Regulations 2002 (as amended) (COSHH). The Council has a legal obligation under COSHH to prevent or control exposure to biological agents. Being harmful to human health, legionella falls within the scope of these regulations.

- 3.3 **Code of Practice** – the principal approved codes of practice applicable to this policy are:

- ACoP L8 - 'Legionnaires' disease: The control of legionella bacteria in water systems' (4th edition 2013).
- HSG274 - Legionnaires' disease: Technical guidance Part 1: The control of legionella bacteria in evaporating cooling systems (2013).
- HSG274 - Legionnaires' disease: Technical guidance Part 2: The control of legionella bacteria in hot and cold-water systems (2014).
- HSG274 - Legionnaires' disease: Technical guidance Part 3: The control of legionella bacteria in other risk systems (2013).
- INDG458 - Legionnaires' disease: A guide for duty holders Leaflet (HSE Books 2012).

3.4 Sanctions

- 3.4.1 The Council acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation and codes of practice and that failure to discharge these responsibilities properly could lead to a range of sanctions including prosecution by the Health and Safety Executive under the Health and Safety at Work Act 1974, prosecution under the Control of Substances Hazardous to Health Regulations (COSHH), and/or prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007, ~~and via a serious detriment judgement from the Regulator of Social Housing.~~

- 3.4.2 In addition, the Regulator of Social Housing has powers to proactively intervene where landlords are performing badly on consumer issues (including non-compliance with building safety measures) and may conduct routine inspections to investigate systematic issues.

3.5 **Tenants and ~~HRA Commercial~~ Leaseholders** – the Council will use the legal remedies available within the terms of the tenancy agreement, lease or licence should any tenant refuse access to carry out essential safety checks, maintenance and safety related repair works.

3.6 **Additional legislation**

This Water Hygiene Policy also operates in the context of the following legislation:

- The Workplace (Health Safety and Welfare) Regulations 1992
- Construction (Design and Management) Regulations 2015
- Housing Act 2004
- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- Housing Health and Safety Rating System (HHSRS) 2006
- Data Protection Act 2018
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- Public Health (Infectious Diseases) Regulations 1998
- Water Supply (Water Quality) Regulations 2016
- Water Supply (Water Fittings) Regulations 1999

4. **Responsibility**

4.1 The Council's Cabinet will have overall governance responsibility for ensuring the Water Hygiene Policy is fully implemented to ensure full compliance with the regulatory standards, legislation and approved codes of practice. The Council's Cabinet will formally approve this policy and review it every ~~two~~ three years (or sooner if there is a change in regulation, legislation or codes of practice).

~~4.2 The Council's Cabinet will receive regular updates on the implementation of the Water Hygiene Policy and compliance performance, along with notification of any non-compliance issue which is identified as part of the routine performance-reporting process.~~

4.2 The Corporate Leadership Team (CLT) will receive reports in respect of Water Hygiene performance and ensure compliance is being achieved as part of the routine performance-reporting process.

4.3 The Council's Director of Housing and Operations ~~will have~~ has strategic responsibility for the management of water hygiene safety and for ensuring compliance is achieved and maintained. ~~The Director will also oversee the implementation of the Water Hygiene Policy.~~

- 4.4 The Council's ~~Director of Housing and Operations~~Assets Lead Manager will be responsible for overseeing the delivery of the agreed water hygiene programme, and the prioritisation and implementation of any works arising from the safety inspections.
- 4.5 The housing teams will provide key support in gaining access into properties where access is proving difficult and use standard methods to do so. ~~They will also facilitate the legal process to gain access as necessary.~~
- 4.6 The Council's ~~Director of Housing and Operations~~Chief Officer for Housing will be responsible for ensuring the policy is reviewed every ~~two~~three years, and will notify the Council's Corporate Leadership Team (CLT) and relevant operational team(s) responsible for the delivery of the compliance programme, of the upcoming review.

4.7 The Health & Safety Executive's Approved Code of Practice and Guidance Note L8, three key distinct roles of 'duty holder', 'responsible person' and 'deputy responsible person'. The duty holder (the Council) has overall responsibility for the control of legionella within the Council's managed residential and non-residential stock, and the 'responsible person' will identify the resources and requirements needed to successfully implement this policy

4.86 Competent Persons

- 4.86.1 The Council will ensure that the manager with lead responsibility is appropriately competent, holding a recognised qualification in legionella control through the completion of a certified training course designed to meet the training needs of a 'duty holder' or 'responsible person' for legionella control. ~~This qualification will be obtained within 12 months of the start of employment for any new operational leads, or within 12 months of the approval of this policy for the existing post holder if they do not already hold it. Where the appropriate qualification has not yet been obtained, the Council will seek assistance from a relevant third-party consultant, until the Council employee(s) has obtained the qualification(s).~~
- 4.86.2 ~~Training includes courses by BOHS (British Occupational Hygiene Society) such as P901 — Management and control of building hot and cold water services, City and Guilds, CIBSE, or HABC around the requirements of ACoP L8 - 'Legionnaires' disease: The control of legionella bacteria in water systems'.~~
- 4.86.3 The Council will ensure that only suitably competent consultants and contractors, registered members of the Legionella Control Association (LCA) or equivalent, are procured and appointed to undertake risk assessments, prepare written schemes of control and undertake works in respect of water hygiene and legionella control.
- 4.86.4 The operational team with responsibility for delivery will check the relevant qualifications of employees working for these contractors to ensure that all persons are appropriately qualified for the work that they are carrying out.

These checks will be undertaken on an annual basis and evidenced appropriately.

The Policy

5. Obligations

- 5.1 The Control of Substances Hazardous to Health Regulations 2002 (as amended) (COSHH), the Management of Health and Safety at Work Regulations 1999 and the Health and Safety at Work Act 1974 place a duty, as an employer or person in control of a premises (e.g. a landlord), to take suitable precautions to prevent or control the risk of exposure to legionella.
- 5.2 The Council, as the 'Duty Holder' as defined by ACOP L8, is responsible for Health and Safety and must take the right precautions to reduce the risks of exposure to legionella, including understanding how the organisation will:
- Identify and assess sources of risk
 - Manage any risks
 - Prevent or control any risks
 - Keep and maintain the correct records for 5 years
- 5.3 The Council must ensure there is a risk assessment undertaken for all hot and cold-water systems, cooling plant and any other systems that can produce water droplets to establish any potential risks and implement measures to either eliminate or control identified risks.
- 5.4 The Council as the 'Duty Holder' ~~responsible for control of legionella and water hygiene safety must appoint a competent/responsible person to take managerial responsibility for legionella control – risk assessment, production of a written scheme and implementation of that scheme to prevent or control the risks. A competent person is someone with sufficient authority, competence, necessary skills, knowledge of the system and experience. The Council will ensure that properties are risk-assessed by a competent person for potential to cause exposure to legionella.~~ will appoint a person(s) to take responsibility to control and manage the risk of exposure. The Responsible Person will have sufficient authority, competence and knowledge to ensure that all operational procedures are carried out in a timely and effective manner.
- 5.5 The 'Duty Holder' will ensure that all persons involved in the management and control of risk, or who could impact on its controls, receive appropriate training. With regard to external suppliers, the Council will seek evidence of training and competence.
- 5.65 In addition, the 'Duty Holder' will appoint an authorised deputy responsible person who will provide cover to the responsible person in their absence. The

deputy responsible person should be trained, instructed, and informed to the same level as the responsible person, and they should assist in the frequent monitoring of the control scheme(s).

6. Statement of Intent

- 6.1 The Council acknowledges and accepts its responsibilities with regard to water hygiene safety and preventing exposure to legionella. The Council will take all reasonable measures to establish effective systems to manage the risks associated with legionella in accordance with the requirements set out in legislation and guidance (section 3).
- 6.2 The Council will hold accurate records against each property it owns or manages, setting out the requirements for water hygiene risk assessments and safety checks.
- 6.3 The Council will periodically review risk assessments (every 2 years) in case anything changes in the system. Where a system is identified as more likely to undergo change and is therefore a higher risk, the risk assessment will be reviewed on a more frequent basis, dependent on the determined level of risk. The Council will ensure that a 'written scheme of control' is developed and fully implemented for all properties risk assessed as requiring controls to adequately manage the risk of legionella exposure. The schemes will be assessed by The Council's competent person as high, medium or low risk.
- 6.4 The Council will ensure that a risk assessed approach for water hygiene safety is adopted as part of the void standard, when carrying out works on void properties prior to re-let. These checks will be applicable on all void properties prior to commencing works which may affect the hot and cold-water systems and will ensure that any identified risk control measures are fully implemented where identified.
- 6.5 The Council will ensure audits are undertaken annually, by an independent competent person, to all systems identified as a high risk (e.g. older persons' schemes) to ensure that all control actions are being fully and robustly implemented.
- 6.6 The Council will ensure that only suitably competent consultants, surveyors, risk assessors and engineers undertake works for the organisation in respect of water hygiene safety.
- 6.7 The Council will have a robust process in place to gain access to properties where tenant vulnerability issues are known or identified, whilst ensuring the organisation can gain timely access to any property in order to be compliant with this policy and safeguard the wellbeing of the tenant.

- 6.8 The Council will establish and maintain a plan of all continuous improvement activity undertaken with regards to water hygiene safety.
- 6.9 The Council will ensure that all contractors' employee and public liability insurances are up to date on an annual basis.
- 6.10 The Council will ensure contracts/service level agreements are in place with the contractors responsible for delivering the compliance service.
- 6.11 The Council will ensure there are effective contract management arrangements in place, in the form of client-led meetings taking place regularly, with standard agendas and minutes produced, key performance indicators analysed and programmes and performance scrutinised.
- 6.12 The Council will implement a robust process to deal with all changes to stock, including new property acquisitions, disposals and stock transfers, in order to ensure that properties are not omitted from the compliance programme, and to ensure the programme remains up-to-date.
- 6.13 The Council will ensure that there is a robust process in place for the management of immediately dangerous situations identified from the risk assessment or water testing/monitoring regime.
- 6.14 The Council will adopt a proactive approach to tenant communications ~~(for example, including water hygiene information within tenancy packs)~~. by providing suitable information to tenants (as required) to ensure they are aware of the measures applied to all water systems, and their obligations to use systems correctly.
- 6.15 The Council will have a robust controlled access procedure in place should any tenant refuse access to carry out essential safety related inspection and/or remediation works. The Council will make every effort to obtain access giving reasonable notice, and before the inspection/certificate is due to expire. However, if access has still not been granted, or in cases of emergency, we will take enforcement action to gain entry to the property if necessary. This may mean undertaking a 'controlled entry'.
- 6.16 Where a controlled entry is required, a locksmith appointed by the Council will gain entry to the property and change the lock. Work will be completed with or without the tenant's presence and the tenant will be recharged for the work.

7. Compliance Risk Assessment/Inspection Programmes

- 7.1 **Risk assessment** – The Council will establish and maintain a risk assessment for water hygiene safety operations. This risk assessment will set out the organisation's key water hygiene risks together with appropriate mitigations.

- 7.2 **CDM** - to comply with the requirements of the Construction, Design and Management Regulations 2015 (CDM) a Construction Phase Plan will be completed for all repairs work to void and tenanted properties (at the start of the contract and annually thereafter), component replacement works and refurbishment projects where applicable.
- 7.3 **Legionella risk assessments** – The Council will carry out a programme of legionella risk assessments and risk assessment reviews to properties containing any water system that could present a risk of exposure to legionella. These risk assessments will be reviewed at least every two years, or after any works have been completed to the installation. Where certain communal properties (or residents) may be at a higher risk, e.g. Independent Living schemes, the Council will aim to review risk assessments annually.
- 7.4 **Communal blocks and ‘other’ properties** – all communal blocks ~~and ‘other’ properties~~ will be subject to an initial visit to establish whether a legionella risk assessment is required. Where a risk assessment is not required then The Council will record this as such on its records, including the date of the initial visit. Where a legionella risk assessment is required, the Council will ensure this communal block ~~or ‘other’ property~~ is included in the programme.
- 7.5 **Void properties** – Properties left unoccupied will be checked for ‘dead legs’, receive frequent flushing and shower head cleaning to comply with the Water Hygiene Procedure.
- ~~7.6 **Commercial Stock Assigned to the HRA** – The Council will ensure it has records of a valid LRA where properties it owns or manages are managed by people or organisations other than the Council (i.e. are managed by managing agents). These properties will be included on the Council’s Water Hygiene programme, so a new LRA can be requested from the managing agent prior to the existing one expiring. If the managing agent fails to carry out the LRA, The Council will step in and carry out the test and re-charge the managing agent for the cost of this work.~~
- 7.67 The Council will carry out a programme of maintenance visits by competent persons to all properties that have a written scheme of control in place. These programmes will ensure that all maintenance and testing set out in the written scheme of control is fully completed at the times and intervals stated. The results of these visits will be recorded electronically.

8. Compliance Follow-up Work

- 8.1 The Council will ensure there is a robust process in place for the management of any follow-up works required following the completion of a legionella risk

assessment or where this has been identified by the competent person when undertaking required maintenance activities.

- 8.2 The Council will ensure that there is a robust process in place to collate and record details of all remedial works and water testing completed against individual installations.

Key controls and reporting

9. Record Keeping

- 9.1 The Council will establish and maintain a register of all properties that have a written scheme of control for water hygiene in place. This register will also hold data against each property asset of the legionella risk assessment carried out.
- 9.2 Inspection and re-inspection dates, along with LRA and monitoring records will be held on the spreadsheet or on the shared drive.
- 9.3 The Council will establish and maintain accurate records of all written schemes of control and any associated remedial works and water testing, as per the organisation's Data Retention Policy.
- 9.4 The Council will maintain logbooks for all relevant sites as required to record the details of the results from the ongoing monitoring and inspection, where required.
- 9.5 The Council will hold and maintain accurate records on the qualifications of all consultants, surveyors, risk assessors and engineers undertaking water hygiene works for the organisation.
- 9.6 The Council will ensure robust processes and controls are in place to provide and maintain appropriate levels of security for all water hygiene safety related data.

10. Performance Reporting

- 10.1 Robust performance indicator measures will be established and maintained to ensure the Council is able to report on performance in relation to water safety.
- 10.2 Performance measures will be produced and provided at Corporate Leadership Team (CLT) and Cabinet as part of the reporting cycle, as required. As a minimum these measures will include reporting on:

10.2.1 Data – the total number of:

- ~~• Properties — split by domestic properties, communal blocks and ‘other’ properties;~~
- ~~• Properties on the LRA programme;~~
- Properties with a valid ‘in date’ Legionella Risk Assessment. This is the level of compliance expressed as a number and/or a percentage;

10.2.2 In addition, performance reporting may include

- ~~• Properties where the LRA has expired and is ‘out of date’. This is the level of non-compliance expressed as a number and a percentage;~~
- The number of follow up works/actions arising from any risk assessments or inspections, ~~and the numbers ‘completed’, ‘in time’ and ‘overdue’ — split by domestic properties, communal blocks and ‘other’ properties.~~ narrative on the current position, mitigating circumstances and/or progress on corrective action.

~~10.2.2 As well as an explanation of the:~~

- ~~• Current position;~~
- ~~• Corrective action required;~~
- ~~• Anticipated impact of corrective action;~~
- ~~• Progress with completion of follow-up works — number of actions — ‘completed’, ‘in time’ and ‘overdue’.~~

11. Quality Assurance

11.1 The Council will appoint an independent competent person to complete a programme of compliance audits to 5 per cent of written schemes of control to ensure that all control actions are being fully and robustly implemented. In addition all schemes identified as high risk will receive an annual audit.

11.2 The Council will carry out an independent audit of our water hygiene and legionella contract responsibilities at least once every three years. This audit will specifically test for compliance with the regulation, legislation and codes of practice and identify any non-compliance issues for correction.

12. Non-Compliance/ Escalation Process

12.1 The definition of non-compliance in relation to this policy refers to any incident which results in a potential breach of legislation or regulatory standard, or which causes or has the potential to cause a significant risk to health or safety.

12.2 Any non-compliance issue identified at an operational level will be formally reported to the Council’s Director of Housing and Operations in the first instance.

12.3 The Council's Director of Housing and Operations will agree an appropriate course of corrective action with the relevant operational team(s) in order to address the non-compliance issue and report details of the same to the Corporate Leadership Team (CLT).

12.4 The Director of Housing and Operations will ensure the Council's ~~Cabinet Member for Housing, Transport and Special Projects~~ Corporate Leadership Team (CLT) and/or the appropriate Cabinet Member(s) is made aware of any non-compliance issue so they can consider the implications and take action as appropriate.

12.5 ~~In cases of a serious non-compliance issue The Council's Corporate Leadership Team and Monitoring Officer will consider whether it is necessary to disclose the issue to the Regulator of Social Housing in the spirit of co-regulation, or any other relevant organisation such as the HSE, as part of the Regulatory Framework.~~

13. Training

13.1 The Council will ~~ensure that all operatives working for, or on behalf of, the organisation have the relevant training required for their role. This will be managed via periodic assessments of training needs and resulting programmes of internal and/or external training work with appropriate consultants that have relevant training, where it does not have expertise in-house. However, the Council provide general legionella awareness training to all relevant staff.~~

14 Equality and Diversity

14.1 An Equality Impact Assessment has been carried out to determine whether the policy would have an impact on any member of staff, tenants or contractor workforce, which unfairly discriminates or disadvantages them in the context of the Equality Act 2010. Adherence to the policy provides the same level of protection for all building users and no impacts have been identified that would adversely affect one group more than any other.

14.2 Where a tenant has or may have a protected characteristic under the Equality Act 2010, and in particular, where the tenant may be disabled, have mental health issues, language or learning difficulties, the Council will make reasonable adjustments to the delivery of its services, to take specific needs into account.



HOUSING COMPLIANCE (LEGIONELLA) POLICY

Date of policy	April 2024
Date for review	March 2027
Policy owner	Director of Housing and Operations, Folkestone & Hythe District Council
Approved by	Pending
Risk register rating	Medium
Associated documents	FHDC Legionella procedure

Revision history (internal F&HDC officer use only)			
Version	Date	Revision description	Policy author
V1.0	March 2020	Document created	Lee Woods (Pennington Choices)
V2.0	March 2021	Re-branding; update of key roles and responsibilities in line with FHDC reporting structure	John Holman, Assistant Director (Housing); Jonathan Hicks, Policy & Performance Specialist
V2.1 (draft)	December 2023	Changes made to reflect current working practises.	Keith Deane, Compliance Senior Specialist; Jonathan Hicks, Performance Specialist

V2.2 (draft)	January 2024	3.4 updated to reflect new powers by the Regulator; 6.15/16 added Controlled Access.	Jonathan Hicks, Performance Specialist
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NEW POLICY / POLICY REVIEW

New policy	
Early review – change in legislation	
Early review – significant changes in practice	
Review due – significant changes	
Review due – minor changes	YES
Other reason	

Reason for new policy / summary of changes

To ensure the accountability for managing this policy reflects the current working practices of the housing and compliance team

CONSULTATION

List of people/roles who have been consulted	Date
TBC	

EQUALITY IMPACT ASSESSMENT

	Completed	Date
	Yes	28 April 2021

DISSEMINATION

Role	Awareness	Essential
Compliance team		YES
All housing staff	YES	

TRAINING

Role	Trainer	Date completed
Compliance Specialists	Compliance Senior Specialist	September 2021

MONITORING AND COMPLIANCE

Method	Responsibility	Frequency
Internal audit review	EK Audit partnership	Annually or as required

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1. Purpose of the Policy

- 1.1 Legionellosis is a collective term for diseases caused by legionella bacteria including the most serious, Legionnaires' disease, as well as the similar but less serious conditions of Pontiac fever and Lochgoilhead fever. Legionnaires' disease is a potentially fatal form of pneumonia, and everyone is susceptible to infection. The risk increases with age, but some people are at higher risk, e.g. people over 45, smokers and heavy drinkers, people suffering from chronic respiratory or kidney disease, diabetes, lung and heart disease or anyone with an impaired immune system.
- 1.2 Legionnaires' disease is normally contracted by inhaling small droplets of water (aerosols), suspended in the air, containing the bacteria.
- 1.3 Therefore, it is important that Folkestone & Hythe District Council (hereafter referred to as 'the Council') control these risks by introducing measures which reduce and/or control the risk of legionella growth and proliferation of legionella bacteria and other organisms in the water systems and reduce, so far as is reasonably practicable, exposure to water droplets and aerosol in non-domestic and domestic stock as required. This will reduce the possibility of creating conditions in which the risk from exposure to legionella bacteria is increased.

2. Policy Objectives and Scope

- 2.1 The Council must establish a policy which meets the requirements of the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999 (the Management Regulations). In addition to this, the policy must provide assurance that measures are in place to demonstrate compliance with the Control of Substances Hazardous to Health Regulations 2002 (as amended) and to identify, manage and/or mitigate risks associated with hot and cold-water systems and any other systems that may cause exposure to legionella bacteria. The L8 approved code of practice, 'Legionnaires' disease: The control of legionella bacteria in water systems', is available to duty holders to provide guidance on how to comply with legal duties in relation to legionella.
- 2.2 The Council must also ensure compliance with water hygiene legislation is formally reported to the Council's Cabinet (where appropriate), including the details of any non-compliance and planned corrective actions.
- 2.3 The policy is relevant to any Council employees, tenants, contractors and other persons or other stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services.
- 2.4 The policy should be used by officers to ensure they understand the obligations placed upon the Council to maintain a safe environment for tenants and employees within the homes of each tenant, and communal buildings.

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3.4.1 The Council acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation and codes of practice and that failure to discharge these responsibilities properly could lead to a range of sanctions including prosecution by the Health and Safety Executive under the Health and Safety at Work Act 1974, prosecution under the Control of Substances Hazardous to Health Regulations (COSHH), and/or prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007

3.4.2 In addition, the Regulator of Social Housing has powers to proactively intervene where landlords are performing badly on consumer issues (including non-compliance with building safety measures) and may conduct routine inspections to investigate systematic issues.

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- Housing Act 2004
- Landlord and Tenant Act 1985
- Homes (Fitness for Human Habitation) Act 2018
- Housing Health and Safety Rating System (HHSRS) 2006
- Data Protection Act 2018
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- Public Health (Infectious Diseases) Regulations 1998
- Water Supply (Water Quality) Regulations 2016
- Water Supply (Water Fittings) Regulations 1999

4. **Responsibility**

- 4.1 The Council's Cabinet will have overall governance responsibility for ensuring the Water Hygiene Policy is fully implemented to ensure full compliance with the regulatory standards, legislation and approved codes of practice. The Council's Cabinet will formally approve this policy and review it every three years (or sooner if there is a change in regulation, legislation or codes of practice).
- 4.2 The Corporate Leadership Team (CLT) will receive reports in respect of Water Hygiene performance and ensure compliance is being achieved as part of the routine performance-reporting process.
- 4.3 The Council's Director of Housing and Operations has strategic responsibility for the management of water hygiene safety and for ensuring compliance is achieved and maintained.
- 4.4 The Council's Assets Lead Manager will be responsible for overseeing the delivery of the agreed water hygiene programme, and the prioritisation and implementation of any works arising from the safety inspections.
- 4.5 The housing teams will provide key support in gaining access into properties where access is proving difficult and use standard methods to do so.
- 4.6 The Council's Chief Officer for Housing will be responsible for ensuring the policy is reviewed every three years and will notify the Council's Corporate Leadership Team (CLT) and relevant operational team(s) responsible for the delivery of the compliance programme, of the upcoming review.

4.7 The Health & Safety Executive's Approved Code of Practice and Guidance Note L8, three key distinct roles of 'duty holder', 'responsible person' and 'deputy responsible person'. The duty holder (the Council) has overall responsibility for the control of legionella within the Council's managed residential and non-residential stock, and the 'responsible person' will identify the resources and requirements needed to successfully implement this policy

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4.8.4 The operational team with responsibility for delivery will check the relevant qualifications of employees working for these contractors to ensure that all persons are appropriately qualified for the work that they are carrying out. These checks will be undertaken on an annual basis and evidenced appropriately.

The Policy

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5.1 The Control of Substances Hazardous to Health Regulations 2002 (as amended) (COSHH), the Management of Health and Safety at Work Regulations 1999 and the Health and Safety at Work Act 1974 place a duty, as an employer or person in control of a premises (e.g. a landlord), to take suitable precautions to prevent or control the risk of exposure to legionella.

5.2 The Council, as the 'Duty Holder' as defined by ACOP L8, is responsible for Health and Safety and must take the right precautions to reduce the risks of exposure to legionella, including understanding how the organisation will:

- Identify and assess sources of risk
- Manage any risks
- Prevent or control any risks
- Keep and maintain the correct records for 5 years

- 5.3 The Council must ensure there is a risk assessment undertaken for all hot and cold-water systems, cooling plant and any other systems that can produce water droplets to establish any potential risks and implement measures to either eliminate or control identified risks.
- 5.4 The Council as the 'Duty Holder' will appoint a person(s) to take responsibility to control and manage the risk of exposure. The Responsible Person will have sufficient authority, competence and knowledge to ensure that all operational procedures are carried out in a timely and effective manner.
- 5.5 The 'Duty Holder' will ensure that all persons involved in the management and control of risk, or who could impact on its controls, receive appropriate training. With regard to external suppliers, the Council will seek evidence of training and competence.
- 5.6 In addition, the 'Duty Holder' will appoint an authorised deputy responsible person who will provide cover to the responsible person in their absence. The deputy responsible person should be trained, instructed, and informed to the same level as the responsible person, and they should assist in the frequent monitoring of the control scheme(s).

6. Statement of Intent

- 6.1 The Council acknowledges and accepts its responsibilities with regard to water hygiene safety and preventing exposure to legionella. The Council will take all reasonable measures to establish effective systems to manage the risks associated with legionella in accordance with the requirements set out in legislation and guidance (section 3).
- 6.2 The Council will hold accurate records against each property it owns or manages, setting out the requirements for water hygiene risk assessments and safety checks.
- 6.3 The Council will periodically review risk assessments (every 2 years) in case anything changes in the system. Where a system is identified as more likely to undergo change and is therefore a higher risk, the risk assessment will be reviewed on a more frequent basis, dependent on the determined level of risk. The Council will ensure that a 'written scheme of control' is developed and fully implemented for all properties risk assessed as requiring controls to adequately manage the risk of legionella exposure. The schemes will be assessed by The Council's competent person as high, medium or low risk.
- 6.4 The Council will ensure that a risk assessed approach for water hygiene safety is adopted as part of the void standard, when carrying out works on void properties prior to re-let. These checks will be applicable on all void properties prior to commencing works which may affect the hot and cold-water systems

and will ensure that any identified risk control measures are fully implemented where identified.

- 6.5 The Council will ensure audits are undertaken annually, by an independent competent person, to all systems identified as a high risk (e.g. older persons' schemes) to ensure that all control actions are being fully and robustly implemented.
- 6.6 The Council will ensure that only suitably competent consultants, surveyors, risk assessors and engineers undertake works for the organisation in respect of water hygiene safety.
- 6.7 The Council will have a robust process in place to gain access to properties where tenant vulnerability issues are known or identified, whilst ensuring the organisation can gain timely access to any property in order to be compliant with this policy and safeguard the wellbeing of the tenant.
- 6.8 The Council will establish and maintain a plan of all continuous improvement activity undertaken with regards to water hygiene safety.
- 6.9 The Council will ensure that all contractors' employee and public liability insurances are up to date on an annual basis.
- 6.10 The Council will ensure contracts/service level agreements are in place with the contractors responsible for delivering the compliance service.
- 6.11 The Council will ensure there are effective contract management arrangements in place, in the form of client-led meetings taking place regularly, with standard agendas and minutes produced, key performance indicators analysed and programmes and performance scrutinised.
- 6.12 The Council will implement a robust process to deal with all changes to stock, including new property acquisitions, disposals and stock transfers, in order to ensure that properties are not omitted from the compliance programme, and to ensure the programme remains up-to-date.
- 6.13 The Council will ensure that there is a robust process in place for the management of immediately dangerous situations identified from the risk assessment or water testing/monitoring regime.
- 6.14 The Council will adopt a proactive approach to tenant communications by providing suitable information to tenants (as required) to ensure they are aware of the measures applied to all water systems, and their obligations to use systems correctly.
- 6.15 The Council will have a robust controlled access procedure in place should any tenant refuse access to carry out essential safety related inspection and/or remediation works. The Council will make every effort to obtain access giving

reasonable notice, and before the inspection/certificate is due to expire. However, if access has still not been granted, or in cases of emergency, we will take enforcement action to gain entry to the property if necessary. This may mean undertaking a 'controlled entry'.

- 6.16 Where a controlled entry is required, a locksmith appointed by the Council will gain entry to the property and change the lock. Work will be completed with or without the tenant's presence and the tenant will be recharged for the work.

7. Compliance Risk Assessment/Inspection Programmes

- 7.1 **Risk assessment** – The Council will establish and maintain a risk assessment for water hygiene safety operations. This risk assessment will set out the organisation's key water hygiene risks together with appropriate mitigations.

- 7.2 **CDM** - to comply with the requirements of the Construction, Design and Management Regulations 2015 (CDM) a Construction Phase Plan will be completed for all repairs work to void and tenanted properties (at the start of the contract and annually thereafter), component replacement works and refurbishment projects where applicable.

- 7.3 **Legionella risk assessments** – The Council will carry out a programme of legionella risk assessments and risk assessment reviews to properties containing any water system that could present a risk of exposure to legionella. These risk assessments will be reviewed at least every two years, or after any works have been completed to the installation. Where certain communal properties (or residents) may be at a higher risk, e.g. Independent Living schemes, the Council will aim to review risk assessments annually.

- 7.4 **Communal blocks** - all communal blocks will be subject to an initial visit to establish whether a legionella risk assessment is required. Where a risk assessment is not required then The Council will record this as such on its records, including the date of the initial visit. Where a legionella risk assessment is required, the Council will ensure this communal block is included in the programme.

- 7.5 **Void properties** – Properties left unoccupied will be checked for 'dead legs', receive frequent flushing and shower head cleaning to comply with the Water Hygiene Procedure.

- 7.6 The Council will carry out a programme of maintenance visits by competent persons to all properties that have a written scheme of control in place. These programmes will ensure that all maintenance and testing set out in the written scheme of control is fully completed at the times and intervals stated. The results of these visits will be recorded electronically.

8. Compliance Follow-up Work

- 8.1 The Council will ensure there is a robust process in place for the management of any follow-up works required following the completion of a legionella risk assessment or where this has been identified by the competent person when undertaking required maintenance activities.
- 8.2 The Council will ensure that there is a robust process in place to collate and record details of all remedial works and water testing completed against individual installations.

Key controls and reporting

9. Record Keeping

- 9.1 The Council will establish and maintain a register of all properties that have a written scheme of control for water hygiene in place. This register will also hold data against each property asset of the legionella risk assessment carried out.
- 9.2 Inspection and re-inspection dates, along with LRA and monitoring records will be held on the spreadsheet or on the shared drive.
- 9.3 The Council will establish and maintain accurate records of all written schemes of control and any associated remedial works and water testing, as per the organisation's Data Retention Policy.
- 9.4 The Council will maintain logbooks for all relevant sites as required to record the details of the results from the ongoing monitoring and inspection, where required.
- 9.5 The Council will hold and maintain accurate records on the qualifications of all consultants, surveyors, risk assessors and engineers undertaking water hygiene works for the organisation.
- 9.6 The Council will ensure robust processes and controls are in place to provide and maintain appropriate levels of security for all water hygiene safety related data.

10. Performance Reporting

10.1 Robust performance indicator measures will be established and maintained to ensure the Council is able to report on performance in relation to water safety.

10.2 Performance measures will be produced and provided at Corporate Leadership Team (CLT) and Cabinet as part of the reporting cycle, as required. As a minimum these measures will include reporting on:

10.2.1 Data – the total number of:

- Properties with a valid 'in date' Legionella Risk Assessment. This is the level of compliance expressed as a number and/or a percentage;

10.2.2 In addition, performance reporting may include

- The number of follow up works/actions arising from any risk assessments or inspections, narrative on the current position, mitigating circumstances and/or progress on corrective action.

11. Quality Assurance

11.1 The Council will appoint an independent competent person to complete a programme of compliance audits to 5 per cent of written schemes of control to ensure that all control actions are being fully and robustly implemented. In addition all schemes identified as high risk will receive an annual audit.

11.2 The Council will carry out an independent audit of our water hygiene and legionella contract responsibilities at least once every three years. This audit will specifically test for compliance with the regulation, legislation and codes of practice and identify any non-compliance issues for correction.

12. Non-Compliance/ Escalation Process

12.1 The definition of non-compliance in relation to this policy refers to any incident which results in a potential breach of legislation or regulatory standard, or which causes or has the potential to cause a significant risk to health or safety.

12.2 Any non-compliance issue identified at an operational level will be formally reported to the Council's Director of Housing and Operations in the first instance.

12.3 The Council's Director of Housing and Operations will agree an appropriate course of corrective action with the relevant operational team(s) in order to address the non-compliance issue and report details of the same to the Corporate Leadership Team (CLT).

12.4 The Director of Housing and Operations will ensure the Council's Corporate Leadership Team (CLT) and/or the appropriate Cabinet Member(s) is made

aware of any non-compliance issue so they can consider the implications and take action as appropriate.

13. Training

- 13.1 The Council will work with appropriate consultants that have relevant training, where it does not have expertise in-house. However, the Council provide general legionella awareness training to all relevant staff.

14 Equality and Diversity

- 14.1 An Equality Impact Assessment has been carried out to determine whether the policy would have an impact on any member of staff, tenants or contractor workforce, which unfairly discriminates or disadvantages them in the context of the Equality Act 2010. Adherence to the policy provides the same level of protection for all building users and no impacts have been identified that would adversely affect one group more than any other.
- 14.2 Where a tenant has or may have a protected characteristic under the Equality Act 2010, and in particular, where the tenant may be disabled, have mental health issues, language or learning difficulties, the Council will make reasonable adjustments to the delivery of its services, to take specific needs into account.

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HOUSING COMPLIANCE (LIFT SAFETY) POLICY

Date of policy	April 2024 <u>2024</u>
Date for review	April 2024 <u>March 2027</u>
Policy owner	Director of Housing and Operations, Folkestone & Hythe District Council
Approved by	Pending
Risk register rating	Medium
Associated documents	FHDC Lift Safety procedure

Revision history (internal FHDC officer use only)			
Version	Date	Revision description	Policy/revision author
V1.0	March 2020	Document created	Lee Woods (Pennington Choices)
V2.0	March 2021	Re-branding; update of key roles and responsibilities in line with FHDC structure	John Holman, Assistant Director (Housing); Jonathan Hicks, Policy & Performance Specialist
V2.1 (draft)	November 2023	Changes made to reflect current working practises.	Keith Deane, Compliance Senior Specialist; Jonathan Hicks, Performance Specialist
V2.2 (draft)	January 2024	3.4 updated to reflect new powers by the Regulator; 6.18/19	Jonathan Hicks, Performance Specialist

		added Controlled Access.	
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NEW POLICY / POLICY REVIEW	
New policy	
Early review – change in legislation	
Early review – significant changes in practice	
Review due – significant changes	
Review due – minor changes	YES
Other reason	

Reason for new policy / summary of changes
To ensure the accountability for managing this policy reflects the current working practices of the housing and compliance team

CONSULTATION	
List of people/roles who have been consulted	Date
TBC	

EQUALITY IMPACT ASSESSMENT	Completed	Date
	Yes	28 April 2021

DISSEMINATION		
Role	Awareness	Essential
Compliance team		YES
All housing staff	YES	

TRAINING		
Role	Trainer	Date completed
Compliance Specialists	Compliance Senior Specialist	September 2021

MONITORING AND COMPLIANCE		
Method	Responsibility	Frequency
Internal audit review	EK Audit partnership	Annually or as required

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1. Purpose of the Policy

- 1.1 Landlords are responsible for maintaining passenger lifts and for carrying out examinations and inspections to ensure those lifts operate safely. In addition to lifts, landlords also have a responsibility to maintain stair lifts and hoists to ensure the safety of their tenants in their homes.
- 1.2 Folkestone & Hythe District Council (hereafter referred to as 'the Council') own and manage properties that have passenger lifts and, in addition to these, a number of domestic homes that have been adapted with living aids such as stair lifts and hoists to enable tenants to continue to live independently.

2. Policy Objectives and Scope

- 2.1 The Council must establish a policy which meets the requirements of the Health and Safety at Work Act 1974. In addition to this, the policy must provide assurance that measures are in place to ensure compliance with the Lifting Operation and Lifting Equipment Regulations 1998 (LOLER) and to identify, manage and/or mitigate risks associated with passenger lifts, stair lifts and hoists.
- 2.2 The Council must also ensure that compliance with lift safety legislation is formally reported to the Council's Corporate Leadership Team and Cabinet [\(where appropriate\)](#), including the details of any non-compliance and planned corrective actions.
- 2.3 This policy is relevant to all Council employees, tenants, contractors and other persons or other stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services.
- 2.4 It should be used by all to ensure they understand the obligations placed upon the Council to maintain a safe environment within the home of each tenant and within all non-residential premises or communal buildings.

3. Legal/Regulatory Framework

- 3.1 **Regulatory Standards** - the application of this policy will ensure compliance with the regulatory framework and consumer standards (Home Standard) for social housing in England, which was introduced by the Regulator of Social Housing (RSH).
- 3.2 **Legislation** - the principal legislation applicable to this policy is The Health and Safety at Work Act 1974 and the Lifting Operation and Lifting Equipment Regulations 1998 (LOLER).
- 3.3 **Code of Practice** – the principal codes of practice applicable to this policy are:

- 3.3.1 ACoP L113 - Safe use of lifting equipment: Lifting Operations and Lifting Equipment Regulations 1998 (2nd edition 2014).
- 3.3.2 INDG422 - Thorough examination of lifting equipment: A simple guide for employers (2008).
- 3.3.3 INDG339 - Thorough examination and testing of lifts: Simple guidance for lift owners (2008).

3.4 Sanctions

3.4.1 The Council acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation and codes of practice and that failure to discharge these responsibilities properly could lead to a range of sanctions including prosecution by the Health and Safety Executive under the Health and Safety at Work etc Act 1974, and/or prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007 ~~and via a serious detriment judgement from the Regulator of Social Housing (RSH).~~

3.4.2 In addition, the Regulator of Social Housing has powers to proactively intervene where landlords are performing badly on consumer issues (including non-compliance with building safety measures) and may conduct routine inspections to investigate systematic issues.

3.5 **Tenants and Leaseholders** – The Council will use the legal remedies available within the terms of the tenancy and lease agreement should any tenant, leaseholder or shared owner refuse access to carry out essential lift safety related inspection and remediation works.

3.6 Additional legislation

This lift safety policy also operates in the context of the following additional legislation:

- The Management of Health and Safety at Work Regulations 1999
- The Provision and Use of Work Equipment Regulations 1998 (PUWER)
- The Workplace (Health Safety and Welfare) Regulations 1992
- The Building Regulations 2004 – Part M
- Construction (Design and Management) Regulations 2015
- Disability and Discrimination Act 2005
- Equality Act 2010
- Housing Act 2004
- Landlord and Tenant Act 1985
- Data Protection Act 2018
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- Homes (Fitness for Human Habitation) Act 2018

4. Responsibility

4.1 The Council's Cabinet will have overall governance responsibility for ensuring the Lift Safety Policy is fully implemented to ensure full compliance with the regulatory standards, legislation and codes of practice. The Council's Cabinet will formally approve this policy and review it every ~~two~~three years (or sooner if there is a change in regulation, legislation or codes of practice).

4.2 The Council's Director of Housing and Operations has strategic responsibility for the management of lift safety and for ensuring compliance is achieved and maintained. ~~The Director will also oversee the implementation of the lift safety policy.~~

4.3 The Council's ~~Director of Housing and Operations~~ Assets Lead Manager will oversee the implementation of the Lift Safety Policy and the delivery of service, maintenance and repair programmes to all lifts, stair lifts, and hoists within property assets owned or managed by the Council.

~~4.4 The Council's Senior Compliance Manager will be responsible for overseeing the delivery of the agreed lift servicing and maintenance programmes, and the prioritisation and implementation of any works arising from the inspections. The Director is also responsible for overseeing the delivery of service, maintenance and repair programmes to all lifts, stair lifts, and hoists within property assets owned or managed by The Council.~~

4.~~5~~4 The housing teams will provide key support in gaining access into properties where access is proving difficult and use standard methods to do so. ~~They will also facilitate the legal process to gain access as necessary.~~

4.~~6~~5 The Council's ~~Director of Housing and Operations~~ Chief Officer for Housing will be responsible for ensuring the policy is reviewed every ~~two~~three years, and will notify the Corporate Leadership Team (CLT) and relevant operational team(s) responsible for the delivery of the compliance programme, of the upcoming review.

4.~~7~~6 Competent Persons

4.~~7~~6.1 The Council will ensure that the 'Responsible Person', and the manager(s) with lead responsibility for operational delivery are appropriately competent; will have undertaken appropriate training and have sufficient experience to meet the criteria of a 'competent person' as stated by the Health and Safety Executive (HSE).

4.~~7~~6.2 The Council will ensure that only suitably competent consultants and contractors, registered members of the Lift and Escalator Industry Association (LEIA) or equivalent, are procured and appointed to undertake risk assessments, prepare written examination schemes and undertake works in respect of lifts, stair lifts and hoists.

- 4.76.3 The operational team with responsibility for delivery will check the relevant qualifications of employees working for these contractors and for those working within the in-house team to ensure that all persons are appropriately qualified for the work that they are carrying out. These checks will be undertaken on an annual basis.

The Policy

5. Obligations

- 5.1 Landlords are responsible for maintaining passenger lifts and for carrying out periodic thorough examinations and inspections to ensure those lifts operate safely. Section 3 of the Health and Safety at Work Act 1974 requires employers, such as landlords, to have responsibility for the health and safety of employees and people using or visiting their premises so far as reasonably practicable.
- 5.2 Passenger lifts in workplaces (for example, offices and communal blocks), which are primarily used by people at work, are subject to the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) and the Provision and Use of Work Equipment Regulations 1998 (PUWER).
- 5.3 Landlords are required to ensure that all lifts, when in use, are thoroughly examined after substantial and significant changes have been made, at least every six months if the lift is used at any time to carry people (or in accordance with an examination scheme) and following “exceptional circumstances” such as damage to, or failure of, the lift, long periods out of use or a major change in operating conditions which is likely to affect the integrity of the equipment.
- 5.4 Where stair lifts, hoists or through floor lifts have been provided for residents, normally as part of an adaptation, landlords have responsibilities for the safety of all users under Section 3 of the Health and Safety at Work Act 1974. These may be adequately discharged by undertaking maintenance, inspection and a 6-monthly thorough examination. LOLER (thorough examination) and PUWER (maintenance and inspection) apply only to stair lifts provided as work equipment for use by employees.
- 5.5 Insurers may impose demands for similarly stringent levels of risk management to cover public liability.

6. Statement of Intent

- 6.1 The Council acknowledges and accepts its responsibilities with regard to lift safety and the inspection and maintenance of lifts, stair lifts and hoists.
- 6.2 All lift, stair lift or hoist equipment in communal areas and any known equipment in tenant's homes is the responsibility of the Council.
- 6.3 The Council will hold accurate records against each property it owns or manages, identifying where there is a lift, stair lift or hoist together with the written examination scheme for each installation.
- ~~6.4 The Council will appoint/train competent 'responsible persons' responsible for the operation, condition and compliance with all relevant statutory requirements. This will include taking action (within the advised timescales) to remedy any faults or defects identified through routine inspections or insurer's thorough examinations.~~
- 6.4 The Council will ensure that it meets all of its legal requirements in regard to lift safety operations via a combination of regular inspections, thorough examinations (in conjunction with the organisation's insurers) and periodic routine maintenance of all lifting equipment within properties it owns and manages.
- 6.5 The Council will ensure that all lifts in properties it owns and manages will be fully accessible for disabled users (as per the requirements of the Disability Discrimination Act 2005, the Equality Act 2010, and to the specifications outlined in Part M of the Building Regulations 2004).
- 6.6 The Council will endeavour to ensure that all lifts and lifting equipment in properties and workplaces it owns and manages will be in full working order at all times. Where the organisation becomes aware that lifts or lifting equipment are not operating as they should, emergency repairs orders will be issued to remedy faults as quickly as possible.
- 6.7 The Council will ensure that there are clear procedures in place and that these procedures are communicated to, and understood by, all relevant staff, for appropriate action in the event of any persons becoming trapped in lifts the organisation owns or manages. The Council staff cannot release any persons trapped in lifts as they are not competent to do so safely but may provide reassurance until such time as the relevant lift maintenance contractors and/or emergency services arrive, as appropriate. The Council will have a service level agreement with lift maintenance service providers that ensures an emergency response in cases of entrapment.
- 6.8 The Council has some passenger lifts that have an intercom fitted that dials directly to a dedicated call centre. In cases of entrapment in these lifts call

handlers will follow a scripted risk assessment to determine the medical condition of any persons that may be trapped. If there is an urgent concern for a person's welfare the emergency services will be called and asked to attend immediately.

- 6.9 The Council will ensure that all lifting equipment that is used on sites it owns or manages is thoroughly examined by a competent person before it is commissioned into use and is then subject to periodic examinations in accordance with the equipment's examination scheme.
- 6.10 The Council will ensure that only suitably competent ~~consultants, and~~ engineers undertake works ~~for the organisation~~ in respect of lifts, stair lifts and hoists. Consultants will be employed to undertake visual inspections and audits, for quality assurance purposes, and liaise with the engineers as appropriate.
- 6.11 The Council will ensure that a thorough examination is carried out on all known aids and adaptations designed for lifting operations, including platform lifts, stair lifts and hoists, in properties it owns and manages. These checks will take place every six months across all lifting equipment types. These checks may also take place more frequently if required to be in line with manufacturers' recommendations, or following any void works which may impact the installation (provided the lift is not to be removed prior to a new tenancy commencing).
- 6.12 The Council will respond and take remedial action for any defects to aids and adaptations designed for lifting operations identified during regular use in line with the normal provisions for repairs and maintenance. All requests of this nature will be treated as an urgent priority.
- 6.13 The Council will ensure that robust processes and controls are in place to ensure that all remedial works identified through routine maintenance inspections and insurer's inspections are completed within a reasonable timescale commensurate with the risk identified.
- 6.14 The Council will ensure robust processes and controls are in place to ensure that any health and safety incident with regard to lift safety is properly reported as required under RIDDOR. These include defects classed as 'immediately dangerous'.
- 6.15 The Council will ensure that robust processes and controls are in place to manage works to void and occupied properties that may affect existing lifts, stair lifts or hoists.
- 6.16 The Council will implement a robust process to deal with all changes to stock, including new property acquisitions, disposals and stock transfers, in order to ensure that properties are not omitted from the compliance programme, and to ensure the programme remains up-to-date.

6.17 The Council will ensure contracts/service level agreements are in place with the contractors responsible for delivering the compliance service and ensure that all contractors' employee and public liability insurances are up to date on an annual basis.

6.18 The Council will have a robust controlled access procedure in place should any tenant refuse access to carry out essential safety related inspection and/or remediation works. The Council will make every effort to obtain access giving reasonable notice, and before the inspection/certificate is due to expire. However, if access has still not been granted, or in cases of emergency, we will take enforcement action to gain entry to the property if necessary. This may mean undertaking a 'controlled entry'.

6.19 Where a controlled entry is required, a locksmith appointed by the Council will gain entry to the property and change the lock. Work will be completed with or without the tenant's presence and the tenant will be recharged for the work.

7. Compliance Risk Assessment/Inspection Programmes

7.1 The Council will establish and maintain a risk assessment for lift safety operations. This risk assessment will set out all of the organisation's key lift safety risks together with appropriate mitigations.

7.2 To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM) a Construction Phase Plan will be completed for all repairs work to void and tenanted properties (at the start of the contract and annually thereafter), component replacement works and refurbishment projects. This plan will detail any lift installations that may be affected by the works and detail all necessary work required to make safe and reinstate lift installations to ensure that they are safe to use and continue to comply with all relevant legislation and any written examination scheme, including any testing and maintenance.

7.3 The Council will carry out a programme of maintenance visits by competent persons to all properties that have a lift, stair lift or hoist and a written examination scheme in place. These programmes will ensure that all maintenance and testing set out in the written examination scheme is fully completed at the times and intervals stated.

7.4 The Council will oversee a programme of thorough examinations of passenger lifts by competent contractors appointed by the Council's insurers. This is to ensure that the organisation's responsibilities towards lift safety are being discharged and provide its insurers with adequate assurance around the quality of lift safety management.

7.5 The Council will carry out a programme of independent third-party quality assurance audits annually to 10 per cent of written examination schemes for lifts (where not included within the insurer's inspection programme) to ensure that all examinations and planned maintenance activities are being fully and robustly implemented and completed. This is additional to inspections carried out by the Council's insurers.

~~7.6 **Commercial Stock Assigned to the HRA** The Council will ensure it has records of a lift examination/inspection where properties it owns or manages are managed by people or organisations other than The Council (i.e. are managed by managing agents) and have lifting equipment in place. These properties will be included on the Council's Lift Safety programme, so a lifting equipment examination record can be requested from the managing agent when required. If the managing agent fails to carry out the thorough examination, The Council will step in and carry out the examination and re-charge the managing agent for the cost of this work.~~

8. Compliance Follow-up Work

8.1 The Council will ensure there is a robust process in place for the management of any follow-up works required following the completion of routine maintenance inspections, or where identified by a competent person, when undertaking required maintenance activities.

8.2 The Council will ensure there is a robust process in place for the management of any follow-up works required following the completion of inspections by the organisation's insurers.

8.3 The Council will ensure that there is a robust process in place to collate and record details of all remedial works completed against individual installations.

8.4 The Council will ensure there is a robust process in place to investigate and manage all RIDDOR notices issued with regard to lift safety.

Key controls and reporting

9. Record Keeping

- 9.1 The Council will establish and maintain a core asset register of all properties that have a lift, stair lift or hoist and written examination scheme in place. This register will also hold data against each property asset of the type, age and condition of lift plant in place.
- 9.2 The Council will establish and maintain accurate records of all written examination schemes and any associated remedial works completed and keep these for a period of not less than 5 years. Records should include the person or people responsible for conducting the inspection; any significant findings of inspections; the written examination scheme and its implementation; and the results of any inspection, test or check carried out, together with the dates. This should include details about the state of operation and condition of the installation.
- 9.3 The Council will establish and maintain accurate records of all inspections carried out by its insurers, the findings of these inspections, and records of completed remedial works, where identified by insurer's inspections; including dates.
- 9.4 The Council will ensure that records of all inspections and thorough examinations will be available to the Competent Person at all times and that hard copies of records can be produced, if required by the local enforcement authority.
- 9.5 The Council will keep a record of any entrapment incidents and will use these to inform future revisions of Examination Schemes.
- 9.6 The Council will hold and maintain accurate records on the qualifications of all consultants and engineers undertaking lift inspection and maintenance works for the organisation.
- 9.7 The Council will ensure robust processes and controls are in place to provide and maintain appropriate levels of security for all lift safety related data.

10. Performance Reporting

- 10.1 Robust performance indicator measures will be established and maintained to ensure the Council is able to report on performance in relation to lift safety.
- 10.2 Performance measures will be produced and provided at Corporate Leadership Team (CLT) and Cabinet as part of the reporting cycle, as required. As a minimum these measures will include reporting on:

- ~~• Compliance with written examination schemes for lift plant;~~
- ~~• The number of entrapments within lifts (in month and year to date);~~
- ~~• The number of outstanding high- and medium-level risk actions as identified in insurer's inspection reports;~~
- ~~• The number of RIDDOR notices issued with regards to lift safety.~~
- Communal (passenger) lifts with a valid insurance check (LOLER). This is the level of compliance expressed as a number and/or as a percentage

10.3 Performance will be monitored by the Housing team and may also include:

- Communal (passenger) lifts with a completed service; expressed as a number and/or as a percentage
- Domestic (individual) lifts with a valid insurance check; expressed as a number and/or as a percentage
- Domestic (individual) lifts with a completed service; expressed as a number and/or as a percentage

10.4 In addition, performance reporting may also include (where necessary) written narrative on the current position, mitigating circumstances and/or progress on corrective action.

11. Quality Assurance

- 11.1 The Council will carry out independent third-party quality assurance audits annually to a minimum of 10 per cent of written examination schemes for lifts (where not included within the insurer's inspection programme) to ensure that all examinations and planned maintenance activities are being fully and robustly implemented and completed. This is in addition to inspections carried out by the Council's insurers.
- 11.2 The Council will carry out an independent audit of lift safety at least once every ~~two~~-three years. This audit will specifically test for compliance with the regulation, legislation and codes of practice and identify any non-compliance issues for correction.

12. Non-Compliance/ Escalation Process

- 12.1 The definition of non-compliance in relation to this policy refers to any incident which results in a potential breach of legislation or regulatory standard, or which causes or has the potential to cause a significant risk to health or safety.
- 12.2 Any non-compliance issue identified at an operational level will be formally reported to the Council's Director of Housing and Operations as part of the monthly reporting cycle.

12.3 The Council's Director of Housing and Operations will agree an appropriate course of corrective action to address the non-compliance issue and report details of the same to the Corporate Leadership Team.

12.4 The Director of Housing and Operations will ensure Corporate Leadership Team (CLT) and/or the appropriate Cabinet Member(s) ~~The Council's Cabinet Member for Housing, Transport and Special Projects~~ is made aware of any non-compliance issue so they can consider the implications and take action as appropriate.

~~12.5 In cases of a serious non-compliance issue the Corporate Leadership Team and The Council's Monitoring Officer will consider whether it is necessary to disclose the issue to the Regulator of Social Housing in the spirit of co-regulation, or any other relevant organisation such as the HSE, as part of the Regulatory Framework.~~

13. Training

13.1 The Council will ensure that all operatives working for, or on behalf of, the organisation have the relevant training required for their role. This policy and the procedures that support it will be subject to a range of training across The Council and will involve all relevant stakeholders. ~~The training will be bespoke tailored~~ to the individual stakeholders and refresher training will be provided as appropriate.

13.2 Training will include team briefings for those employees who need to have a basic understanding and awareness of lift safety but who may not be actively involved in the delivery of the lift safety policy. This will be basic lift safety awareness training.

~~13.3 On-the-job training will be provided to those employees who will be responsible for managing the programme of lift inspections, planned maintenance and repair works as part of their daily job. The manager(s) with lead responsibility for operational delivery will have undertaken appropriate training and have sufficient experience to meet the criteria of a 'competent person' as stated by the Health and Safety Executive (HSE).~~

~~13.4 Regular 'tool-box talks' will be given to operatives and the Council's contractor partners will be required to do this in the form of appropriate lift safety training and evidence the same.~~

14 Equality and Diversity

14.1 An Equality Impact Assessment has been carried out to determine whether the policy would have an impact on any member of staff, tenants or contractor workforce, which unfairly discriminates or disadvantages them in the context of the Equality Act 2010. Adherence to the policy provides the same level of

protection for all building users and no impacts have been identified that would adversely affect one group more than any other.

14.2 Where a tenant has or may have a protected characteristic under the Equality Act 2010, and in particular, where the tenant may be disabled, have mental health issues, language or learning difficulties, the Council will make reasonable adjustments to the delivery of its services, to take specific needs into account.

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HOUSING COMPLIANCE (LIFT SAFETY) POLICY

Date of policy	April 2024
Date for review	March 2027
Policy owner	Director of Housing and Operations, Folkestone & Hythe District Council
Approved by	Pending
Risk register rating	Medium
Associated documents	FHDC Lift Safety procedure

Revision history (internal FHDC officer use only)			
Version	Date	Revision description	Policy/revision author
V1.0	March 2020	Document created	Lee Woods (Pennington Choices)
V2.0	March 2021	Re-branding; update of key roles and responsibilities in line with FHDC structure	John Holman, Assistant Director (Housing); Jonathan Hicks, Policy & Performance Specialist
V2.1 (draft)	November 2023	Changes made to reflect current working practises.	Keith Deane, Compliance Senior Specialist; Jonathan Hicks, Performance Specialist
V2.2 (draft)	January 2024	3.4 updated to reflect new powers by the Regulator; 6.18/19	Jonathan Hicks, Performance Specialist

		added Controlled Access.	
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NEW POLICY / POLICY REVIEW	
New policy	
Early review – change in legislation	
Early review – significant changes in practice	
Review due – significant changes	
Review due – minor changes	YES
Other reason	

Reason for new policy / summary of changes
To ensure the accountability for managing this policy reflects the current working practices of the housing and compliance team

CONSULTATION	
List of people/roles who have been consulted	Date
TBC	

EQUALITY IMPACT ASSESSMENT	Completed	Date
	Yes	28 April 2021

DISSEMINATION		
Role	Awareness	Essential
Compliance team		YES
All housing staff	YES	

TRAINING		
Role	Trainer	Date completed
Compliance Specialists	Compliance Senior Specialist	September 2021

MONITORING AND COMPLIANCE		
Method	Responsibility	Frequency
Internal audit review	EK Audit partnership	Annually or as required

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1. Purpose of the Policy

- 1.1 Landlords are responsible for maintaining passenger lifts and for carrying out examinations and inspections to ensure those lifts operate safely. In addition to lifts, landlords also have a responsibility to maintain stair lifts and hoists to ensure the safety of their tenants in their homes.
- 1.2 Folkestone & Hythe District Council (hereafter referred to as 'the Council') own and manage properties that have passenger lifts and, in addition to these, a number of domestic homes that have been adapted with living aids such as stair lifts and hoists to enable tenants to continue to live independently.

2. Policy Objectives and Scope

- 2.1 The Council must establish a policy which meets the requirements of the Health and Safety at Work Act 1974. In addition to this, the policy must provide assurance that measures are in place to ensure compliance with the Lifting Operation and Lifting Equipment Regulations 1998 (LOLER) and to identify, manage and/or mitigate risks associated with passenger lifts, stair lifts and hoists.
- 2.2 The Council must also ensure that compliance with lift safety legislation is formally reported to the Council's Corporate Leadership Team and Cabinet (where appropriate), including the details of any non-compliance and planned corrective actions.
- 2.3 This policy is relevant to all Council employees, tenants, contractors and other persons or other stakeholders who may work on, occupy, visit, or use its premises, or who may be affected by its activities or services.
- 2.4 It should be used by all to ensure they understand the obligations placed upon the Council to maintain a safe environment within the home of each tenant and within all non-residential premises or communal buildings.

3. Legal/Regulatory Framework

- 3.1 **Regulatory Standards** - the application of this policy will ensure compliance with the regulatory framework and consumer standards (Home Standard) for social housing in England, which was introduced by the Regulator of Social Housing (RSH).
- 3.2 **Legislation** - the principal legislation applicable to this policy is The Health and Safety at Work Act 1974 and the Lifting Operation and Lifting Equipment Regulations 1998 (LOLER).

3.3 Code of Practice – the principal codes of practice applicable to this policy are:

- 3.3.1 ACoP L113 - Safe use of lifting equipment: Lifting Operations and Lifting Equipment Regulations 1998 (2nd edition 2014).
- 3.3.2 INDG422 - Thorough examination of lifting equipment: A simple guide for employers (2008).
- 3.3.3 INDG339 - Thorough examination and testing of lifts: Simple guidance for lift owners (2008).

3.4 Sanctions

3.4.1 The Council acknowledges and accepts its responsibilities in accordance with the regulatory standards, legislation and codes of practice and that failure to discharge these responsibilities properly could lead to a range of sanctions including prosecution by the Health and Safety Executive under the Health and Safety at Work etc Act 1974, and/or prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007

3.4.2 In addition, the Regulator of Social Housing has powers to proactively intervene where landlords are performing badly on consumer issues (including non-compliance with building safety measures) and may conduct routine inspections to investigate systematic issues.

3.5 Tenants and Leaseholders – The Council will use the legal remedies available within the terms of the tenancy and lease agreement should any tenant, leaseholder or shared owner refuse access to carry out essential lift safety related inspection and remediation works.

3.6 Additional legislation

This lift safety policy also operates in the context of the following additional legislation:

- The Management of Health and Safety at Work Regulations 1999
- The Provision and Use of Work Equipment Regulations 1998 (PUWER)
- The Workplace (Health Safety and Welfare) Regulations 1992
- The Building Regulations 2004 – Part M
- Construction (Design and Management) Regulations 2015
- Disability and Discrimination Act 2005
- Equality Act 2010
- Housing Act 2004
- Landlord and Tenant Act 1985
- Data Protection Act 2018
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013
- Homes (Fitness for Human Habitation) Act 2018

4. Responsibility

- 4.1 The Council's Cabinet will have overall governance responsibility for ensuring the Lift Safety Policy is fully implemented to ensure full compliance with the regulatory standards, legislation and codes of practice. The Council's Cabinet will formally approve this policy and review it every three years (or sooner if there is a change in regulation, legislation or codes of practice).
- 4.2 The Council's Director of Housing and Operations has strategic responsibility for the management of lift safety and for ensuring compliance is achieved and maintained.
- 4.3 The Council's Assets Lead Manager will oversee the implementation of the Lift Safety Policy and the delivery of service, maintenance and repair programmes to all lifts, stair lifts, and hoists within property assets owned or managed by the Council.
- 4.4 The Council's Senior Compliance Manager will be responsible for the delivery of the agreed lift servicing and maintenance programmes, and the prioritisation and implementation of any works arising from the inspections.
- 4.5 The housing teams will provide key support in gaining access into properties where access is proving difficult and use standards methods to do so.
- 4.6 The Council's Chief Officer for Housing will be responsible for ensuring the policy is reviewed every three years and will notify the Corporate Leadership Team (CLT) and relevant operational team(s) responsible for the delivery of the compliance programme, of the upcoming review.

4.7 Competent Persons

- 4.7.1 The Council will ensure that the 'Responsible Person', and the manager(s) with lead responsibility for operational delivery are appropriately competent; will have undertaken appropriate training and have sufficient experience to meet the criteria of a 'competent person' as stated by the Health and Safety Executive (HSE).
- 4.7.2 The Council will ensure that only suitably competent consultants and contractors, registered members of the Lift and Escalator Industry Association (LEIA) or equivalent, are procured and appointed to undertake risk assessments, prepare written examination schemes and undertake works in respect of lifts, stair lifts and hoists.
- 4.7.3 The operational team with responsibility for delivery will check the relevant qualifications of employees working for these contractors and for those working within the in-house team to ensure that all persons are appropriately qualified for the work that they are carrying out. These checks will be undertaken on an annual basis.

The Policy

5. Obligations

- 5.1 Landlords are responsible for maintaining passenger lifts and for carrying out periodic thorough examinations and inspections to ensure those lifts operate safely. Section 3 of the Health and Safety at Work Act 1974 requires employers, such as landlords, to have responsibility for the health and safety of employees and people using or visiting their premises so far as reasonably practicable.
- 5.2 Passenger lifts in workplaces (for example, offices and communal blocks), which are primarily used by people at work, are subject to the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) and the Provision and Use of Work Equipment Regulations 1998 (PUWER).
- 5.3 Landlords are required to ensure that all lifts, when in use, are thoroughly examined after substantial and significant changes have been made, at least every six months if the lift is used at any time to carry people (or in accordance with an examination scheme) and following “exceptional circumstances” such as damage to, or failure of, the lift, long periods out of use or a major change in operating conditions which is likely to affect the integrity of the equipment.
- 5.4 Where stair lifts, hoists or through floor lifts have been provided for residents, normally as part of an adaptation, landlords have responsibilities for the safety of all users under Section 3 of the Health and Safety at Work Act 1974. These may be adequately discharged by undertaking maintenance, inspection and a 6-monthly thorough examination. LOLER (thorough examination) and PUWER (maintenance and inspection) apply only to stair lifts provided as work equipment for use by employees.
- 5.5 Insurers may impose demands for similarly stringent levels of risk management to cover public liability.

6. Statement of Intent

- 6.1 The Council acknowledges and accepts its responsibilities with regard to lift safety and the inspection and maintenance of lifts, stair lifts and hoists.
- 6.2 All lift, stair lift or hoist equipment in communal areas and any known equipment in tenant’s homes is the responsibility of the Council.
- 6.3 The Council will hold accurate records against each property it owns or manages, identifying where there is a lift, stair lift or hoist together with the written examination scheme for each installation.
- 6.4 The Council will ensure that it meets all of its legal requirements in regard to lift safety operations via a combination of regular inspections, thorough

examinations (in conjunction with the organisation's insurers) and periodic routine maintenance of all lifting equipment within properties it owns and manages.

- 6.5 The Council will ensure that all lifts in properties it owns and manages will be fully accessible for disabled users (as per the requirements of the Disability Discrimination Act 2005, the Equality Act 2010, and to the specifications outlined in Part M of the Building Regulations 2004).
- 6.6 The Council will endeavour to ensure that all lifts and lifting equipment in properties and workplaces it owns and manages will be in full working order at all times. Where the organisation becomes aware that lifts or lifting equipment are not operating as they should, emergency repairs orders will be issued to remedy faults as quickly as possible.
- 6.7 The Council will ensure that there are clear procedures in place and that these procedures are communicated to, and understood by, all relevant staff, for appropriate action in the event of any persons becoming trapped in lifts the organisation owns or manages. The Council staff cannot release any persons trapped in lifts as they are not competent to do so safely but may provide reassurance until such time as the relevant lift maintenance contractors and/or emergency services arrive, as appropriate. The Council will have a service level agreement with lift maintenance service providers that ensures an emergency response in cases of entrapment.
- 6.8 The Council has some passenger lifts that have an intercom fitted that dials directly to a dedicated call centre. In cases of entrapment in these lifts call handlers will follow a scripted risk assessment to determine the medical condition of any persons that may be trapped. If there is an urgent concern for a person's welfare the emergency services will be called and asked to attend immediately.
- 6.9 The Council will ensure that all lifting equipment that is used on sites it owns or manages is thoroughly examined by a competent person before it is commissioned into use and is then subject to periodic examinations in accordance with the equipment's examination scheme.
- 6.10 The Council will ensure that only suitably competent engineers undertake works in respect of lifts, stair lifts and hoists. Consultants will be employed to undertake visual inspections and audits, for quality assurance purposes, and liaise with the engineers as appropriate.
- 6.11 The Council will ensure that a thorough examination is carried out on all known aids and adaptations designed for lifting operations, including platform lifts, stair lifts and hoists, in properties it owns and manages. These checks will take place every six months across all lifting equipment types. These checks may also

take place more frequently if required to be in line with manufacturers' recommendations, or following any void works which may impact the installation (provided the lift is not to be removed prior to a new tenancy commencing).

- 6.12 The Council will respond and take remedial action for any defects to aids and adaptations designed for lifting operations identified during regular use in line with the normal provisions for repairs and maintenance. All requests of this nature will be treated as an urgent priority.
- 6.13 The Council will ensure that robust processes and controls are in place to ensure that all remedial works identified through routine maintenance inspections and insurer's inspections are completed within a reasonable timescale commensurate with the risk identified.
- 6.14 The Council will ensure robust processes and controls are in place to ensure that any health and safety incident with regard to lift safety is properly reported as required under RIDDOR. These include defects classed as 'immediately dangerous'.
- 6.15 The Council will ensure that robust processes and controls are in place to manage works to void and occupied properties that may affect existing lifts, stair lifts or hoists.
- 6.16 The Council will implement a robust process to deal with all changes to stock, including new property acquisitions, disposals and stock transfers, in order to ensure that properties are not omitted from the compliance programme, and to ensure the programme remains up-to-date.
- 6.17 The Council will ensure contracts/service level agreements are in place with the contractors responsible for delivering the compliance service and ensure that all contractors' employee and public liability insurances are up to date on an annual basis.
- 6.18 The Council will have a robust controlled access procedure in place should any tenant refuse access to carry out essential safety related inspection and/or remediation works. The Council will make every effort to obtain access giving reasonable notice, and before the inspection/certificate is due to expire. However, if access has still not been granted, or in cases of emergency, we will take enforcement action to gain entry to the property if necessary. This may mean undertaking a 'controlled entry'.
- 6.19 Where a controlled entry is required, a locksmith appointed by the Council will gain entry to the property and change the lock. Work will be completed with or without the tenant's presence and the tenant will be recharged for the work.

7. Compliance Risk Assessment/Inspection Programmes

- 7.1 The Council will establish and maintain a risk assessment for lift safety operations. This risk assessment will set out all of the organisation's key lift safety risks together with appropriate mitigations.
- 7.2 To comply with the requirements of the Construction (Design and Management) Regulations 2015 (CDM) a Construction Phase Plan will be completed for all repairs work to void and tenanted properties (at the start of the contract and annually thereafter), component replacement works and refurbishment projects. This plan will detail any lift installations that may be affected by the works and detail all necessary work required to make safe and reinstate lift installations to ensure that they are safe to use and continue to comply with all relevant legislation and any written examination scheme, including any testing and maintenance.
- 7.3 The Council will carry out a programme of maintenance visits by competent persons to all properties that have a lift, stair lift or hoist and a written examination scheme in place. These programmes will ensure that all maintenance and testing set out in the written examination scheme is fully completed at the times and intervals stated.
- 7.4 The Council will oversee a programme of thorough examinations of passenger lifts by competent contractors appointed by the Council's insurers. This is to ensure that the organisation's responsibilities towards lift safety are being discharged and provide its insurers with adequate assurance around the quality of lift safety management.
- 7.5 The Council will carry out a programme of independent third-party quality assurance audits annually to 10 per cent of written examination schemes for lifts (where not included within the insurer's inspection programme) to ensure that all examinations and planned maintenance activities are being fully and robustly implemented and completed. This is additional to inspections carried out by the Council's insurers.

8. Compliance Follow-up Work

- 8.1 The Council will ensure there is a robust process in place for the management of any follow-up works required following the completion of routine maintenance inspections, or where identified by a competent person, when undertaking required maintenance activities.
- 8.2 The Council will ensure there is a robust process in place for the management of any follow-up works required following the completion of inspections by the organisation's insurers.

- 8.3 The Council will ensure that there is a robust process in place to collate and record details of all remedial works completed against individual installations.
- 8.4 The Council will ensure there is a robust process in place to investigate and manage all RIDDOR notices issued with regard to lift safety.

Key controls and reporting

9. Record Keeping

- 9.1 The Council will establish and maintain a core asset register of all properties that have a lift, stair lift or hoist and written examination scheme in place. This register will also hold data against each property asset of the type, age and condition of lift plant in place.
- 9.2 The Council will establish and maintain accurate records of all written examination schemes and any associated remedial works completed and keep these for a period of not less than 5 years. Records should include the person or people responsible for conducting the inspection; any significant findings of inspections; the written examination scheme and its implementation; and the results of any inspection, test or check carried out, together with the dates. This should include details about the state of operation and condition of the installation.
- 9.3 The Council will establish and maintain accurate records of all inspections carried out by its insurers, the findings of these inspections, and records of completed remedial works, where identified by insurer's inspections; including dates.
- 9.4 The Council will ensure that records of all inspections and thorough examinations will be available to the Competent Person at all times and that hard copies of records can be produced, if required by the local enforcement authority.
- 9.5 The Council will keep a record of any entrapment incidents and will use these to inform future revisions of Examination Schemes.
- 9.6 The Council will hold and maintain accurate records on the qualifications of all consultants and engineers undertaking lift inspection and maintenance works for the organisation.
- 9.7 The Council will ensure robust processes and controls are in place to provide and maintain appropriate levels of security for all lift safety related data.

10. Performance Reporting

- 10.1 Robust performance indicator measures will be established and maintained to ensure the Council is able to report on performance in relation to lift safety.
- 10.2 Performance measures will be produced and provided at Corporate Leadership Team (CLT) and Cabinet as part of the reporting cycle, as required. As a minimum these measures will include reporting on:
- Communal (passenger) lifts with a valid insurance check (LOLER). This is the level of compliance expressed as a number and/or as a percentage
- 10.3 Performance will be monitored by the Housing team and may also include:
- Communal (passenger) lifts with a completed service; expressed as a number and/or as a percentage
 - Domestic (individual) lifts with a valid insurance check; expressed as a number and/or as a percentage
 - Domestic (individual) lifts with a completed service; expressed as a number and/or as a percentage
- 10.4 In addition, performance reporting may also include (where necessary) written narrative on the current position, mitigating circumstances and/or progress on corrective action.

11. Quality Assurance

- 11.1 The Council will carry out independent third-party quality assurance audits annually to a minimum of 10 per cent of written examination schemes for lifts (where not included within the insurer's inspection programme) to ensure that all examinations and planned maintenance activities are being fully and robustly implemented and completed. This is in addition to inspections carried out by the Council's insurers.
- 11.2 The Council will carry out an independent audit of lift safety at least once every three years. This audit will specifically test for compliance with the regulation, legislation and codes of practice and identify any non-compliance issues for correction.

12. Non-Compliance/ Escalation Process

- 12.1 The definition of non-compliance in relation to this policy refers to any incident which results in a potential breach of legislation or regulatory standard, or which causes or has the potential to cause a significant risk to health or safety.

- 12.2 Any non-compliance issue identified at an operational level will be formally reported to the Council's Director of Housing and Operations as part of the monthly reporting cycle.
- 12.3 The Council's Director of Housing and Operations will agree an appropriate course of corrective action to address the non-compliance issue and report details of the same to the Corporate Leadership Team.
- 12.4 The Director of Housing and Operations will ensure Corporate Leadership Team (CLT) and/or the appropriate Cabinet Member(s) is made aware of any non-compliance issue so they can consider the implications and take action as appropriate.

13. Training

- 13.1 The Council will ensure that all operatives working for, or on behalf of, the organisation have the relevant training required for their role. The training will be tailored to the individual stakeholders and refresher training will be provided as appropriate.
- 13.2 Training will include team briefings for those employees who need to have a basic understanding and awareness of lift safety but who may not be actively involved in the delivery of the lift safety policy. This will be basic lift safety awareness training.

14 Equality and Diversity

- 14.1 An Equality Impact Assessment has been carried out to determine whether the policy would have an impact on any member of staff, tenants or contractor workforce, which unfairly discriminates or disadvantages them in the context of the Equality Act 2010. Adherence to the policy provides the same level of protection for all building users and no impacts have been identified that would adversely affect one group more than any other.
- 14.2 Where a tenant has or may have a protected characteristic under the Equality Act 2010, and in particular, where the tenant may be disabled, have mental health issues, language or learning difficulties, the Council will make reasonable adjustments to the delivery of its services, to take specific needs into account.

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This Report will be made public on 12 March 2024



Report Number **C/23/91**

To: Cabinet
Date: 20 March 2024
Status: Non-Key Decision
Responsible Officer: Gill Butler, Chief Officer – Housing
Mike Bailey, Tenant Engagement & Wellbeing Senior Specialist
Cabinet Member: Councillor Rebecca Shoob, Cabinet Member for Housing & Homelessness

SUBJECT: TENANT ENGAGEMENT STRATEGY 2024-2030

SUMMARY:

The Council's current Tenant Engagement Strategy expires in April 2024, and officers have therefore prepared an updated version to reflect changes in policy and legislation, and to ensure compliance with the Regulator of Social Housing's Transparency, Influence & Accountability Standard which comes into effect in April 2024. The Strategic Tenant Advisory Panel has been consulted on the updated strategy and Cabinet is therefore being asked to approve it.

REASONS FOR RECOMMENDATIONS:

Cabinet is asked to agree the recommendations because the Regulator of Social Housing's Transparency, Influence and Accountability Standard requires the council as a social housing landlord to give tenants a wide range of meaningful opportunities to influence and scrutinise strategies, policies and services.

RECOMMENDATIONS:

1. To receive and note report C/23/91.
2. To approve the updated Tenant Engagement Strategy 2024-2030 attached as Appendix 1.

1. BACKGROUND

- 1.1 In April 2021, Cabinet approved F&HDC's first Tenant Engagement Strategy since the housing service was brought back in-house. At that time, the Regulator of Social Housing's Tenant Involvement and Empowerment Standard required social landlords to consult tenants every three years on the best ways of involving them in the housing service. As such, the current strategy expires in April 2024.
- 1.2 The Regulator of Social Housing has recently consulted on proposed new consumer standards, and from April 2024 the Transparency, Influence and Accountability Standard will replace the Tenant Involvement and Empowerment Standard. Although the new standard still requires landlords to give tenants a wide range of opportunities to influence and scrutinise the housing service, it removes the requirement to consult tenants on this every three years. It is therefore proposed that the updated strategy runs until 2030, although the strategy will be reviewed annually and any required amendments will be made as part of those reviews.
- 1.3 The current strategy remains largely fit for purpose, therefore rather than a complete rewrite, officers have focused on updating the existing version to ensure it reflects the changes in policy, legislation and F&HDC practice since it was originally written, specifically:
- The Regulator of Social Housing's updated consumer standards
 - The Social Housing (Regulation) Act 2023
 - The creation of the Strategic Tenant Advisory Panel (STAP) and other F&HDC tenant engagement activities such as the recently established Tenant Scrutiny Panel
- 1.4 The previous version of the strategy included an action plan. At that time, an action plan was required to ensure that tenant engagement was embedded into the new housing service when it returned to the council, which is now complete. It is therefore proposed that rather than creating an additional action plan to accompany the updated strategy, actions relating to tenant engagement activities and actions relating to tenant satisfaction are combined into one overarching tenant engagement action plan. The first stage of this action plan, which contains actions arising from the 2023 tenant satisfaction survey, was approved by Overview and Scrutiny Committee in January 2024.

2. CONSULTATION

- 2.1 Prior to the original Tenant Engagement Strategy being approved by Cabinet in April 2021, officers consulted with the then Tenant and Leaseholder Board (since replaced by the Strategic Tenant Advisory Panel (STAP)), and directly with a larger cohort of tenants who expressed an interest to be involved in the housing service. The wider tenant community were informed of this consultation, which ran from 17 February to 12 March 2021, via the council website and tenant newsletter. We received seven comments about the strategy, none of which resulted in changes to the document.

- 2.2 Feedback on the original strategy was also given by Overview and Scrutiny Committee in February and March 2021, and their feedback included sharing performance reports regularly with tenants, encouraging individual tenants to be involved as well as groups, and acknowledging the barriers to engagement. These elements are all incorporated in both the current strategy and the updated strategy.
- 2.3 STAP reviewed the updated draft of the strategy at their meeting on 21 February and are happy with the revised version.

3. OPTIONS

3.1 To approve the updated Tenant Engagement Strategy 2024-2030 (recommended option)

This is the recommended option because the council is required as a social housing landlord to give tenants a range of opportunities to influence and scrutinise strategies, policies and services. The updated strategy does this; the only changes from the original version are minor and have been made to reflect changes in policy, legislation and F&HDC practice since the original strategy was approved.

3.2 To make changes to the updated Tenant Engagement Strategy 2024-2030

This option is not recommended because the consultation on the original strategy in 2021 showed support for its content. The Strategic Tenant Advisory Panel have been consulted on the minor changes which have been made to the strategy, and are happy with these.

3.3 Not to approve the updated Tenant Engagement Strategy 2024-2030

This option is not recommended because it would mean the council would not have an in-date Tenant Engagement Strategy when the current version expires in April.

4. RISK MANAGEMENT ISSUES

- 4.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
The strategy is not approved, therefore the council would not have an in-date tenant engagement strategy	High	Low	The current approved version of the strategy remains largely fit for purpose. Only minor changes have been made to the updated version to ensure it reflects the changes in policy, legislation and F&HDC practice.

Tenants do not support the strategy	Medium	Low	The Strategic Tenant Advisory Panel have been consulted on the changes to the strategy, and support them.
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5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

5.1 Legal Officer's Comments (NM)

The Tenant Engagement Strategy will need to be monitored and reviewed to ensure it continues to meet the regulatory requirements as set out in the report.

5.2 Finance Officer's Comments (LW)

There are no financial implications directly arising from this report.

5.3 Diversities and Equalities Implications (MB)

There are no diversity or equality implications arising directly from this report. Our tenant engagement opportunities have been designed to encourage participation from all tenants in the ways that best suit them, regardless of their protected characteristics.

5.4 Climate Change Implications (AT)

No direct climate change implications to this report.

6. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

Mike Bailey, Tenant Engagement & Wellbeing Senior Specialist

Telephone: 01303 853270

Email: michael.bailey@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report:

The Regulator of Social Housing's proposed consumer standards from April 2024 (specifically the Transparency, Influence and Accountability Standard on pages 5 to 10):

https://assets.publishing.service.gov.uk/media/64babc1c2059dc00125d27e7/20230721_Annex_1_Proposed_Consumer_standards.pdf

Appendices:

Appendix 1: Tenant Engagement Strategy 2024-2030, and tracked changes version

Tenant Engagement Strategy

Hearing our Tenants' Voice

Housing Service 2024-2030



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Foreword

Councillor Rebecca Shoob, Cabinet Member for Housing and Homelessness



Nobody knows more about homes and neighbourhoods than the people who live in them. That's why it is essential that all our tenants and leaseholders across the district have the opportunity to share their insight when it comes to running our housing service.

We are very lucky to live in a beautiful district that ranges from rural to urban, from coast to hills to marsh. Just as we have a diverse geographic area, there are different ways that suit different people to get in touch. We want to make sure that everyone who wants to can share their knowledge and experience in a way that works for them.

By working in partnership with tenants, together we can create a great housing service and make a positive difference for you, your neighbourhood and the wider community.

Elaine Cox, Chairperson of the Strategic Tenants Advisory Panel



I have been an engaged tenant for a long time now, and in 2020 my greatest hope was to make sure tenant engagement was relevant and available for all the tenants in the Folkestone and Hythe District, and that we could continue to collaborate on issues that matter the most and have our voices heard.

Although we all had a difficult start with the pandemic affecting meetings and events, we managed to collaborate effectively to build plans for the new level of tenant engagement that was needed to fulfil the expectations of the Regulator of Social Housing and the Government.

F&HDC officers and I designed and recruited for the Strategic Tenants Advisory Panel (STAP) and, together with the incredible group of talented and skilled panel members, we have achieved so much in just over 2 years, including 12 consultations, 5 strategies, 6 policies/procedures and 5 contracts. In addition to that we continue to work with the Performance Specialist and all the key officers at the council, including the leadership team and councillors, and have also been part of the pilot scheme for the Regulator of Social Housing's new inspection framework.

We are entrusted with a strategic level agenda and have built some strong relationships across the housing service and beyond, but also we have stayed true to our hearts by continuing to challenge and hold the council to account where needed, and see the results of our challenges being followed up and acted upon.

I am happy that we are treated with respect, transparency and credibility. With the new scrutiny panel established, we will also be able to deep dive into individual issues such as anti-social behaviour and complaints to improve processes and more. STAP are always available for tenants' and leaseholders' feedback and suggestions.

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This strategy sets out Folkestone & Hythe District Council's continued commitment to engage with our tenants and leaseholders (collectively referred to as tenants in this document), involving them in the decisions which affect their homes, local communities and the delivery of the housing service.

Understanding the changing needs and aspirations of our tenants is vital if we are to deliver a truly great housing service.

The council has developed this strategy jointly with tenants to ensure that the variety of opportunities created for genuine engagement include things that interest them, are accessible to all, and take into account different lifestyles and availability to participate. We look forward to working with our tenants and encourage everyone to get involved.

Gill Butler, Chief Officer – Housing



A great deal has happened over the past few years across Folkestone & Hythe District Council (F&HDC), and within the council's housing service, and I am pleased to say that much of this work has been developed in co-production with our tenants and leaseholders.

Tenants wanted F&HDC to improve digital ways to engage and communicate and so in 2023 we launched Housing Online, which is a self-service, sign-in tool where tenants can access their account themselves whenever they want to, doing everything from raising a repair or making a rent payment online. We will continue to listen to our residents, and use this valuable feedback to continuously improve, not only the service itself, but also our responsiveness and customer service skills.

Introduction

About the Housing Service

Folkestone and Hythe District Council (the council) provides nearly 3,400 homes in the district. Most are social rented or affordable homes, just over 200 are leasehold properties, and we have a small number of shared ownership properties, or part rent/part buy homes.

In October 2020 when these homes came back in-house, a new housing management service was established to provide tenants and council-managed homeowners with an engaged, responsive and transparent housing service.

Vision

The vision for the housing service is: **'To create a truly excellent service, one that is digitally enabled, easy to do business with and where tenants (customers) are at the heart of everything we do'**. This includes providing a range of inclusive and accessible engagement options at every level. We want to use people's individual and collective skills to shape and build the service and future of affordable housing in the Folkestone and Hythe district.

The previous Tenant Engagement Strategy was developed in 2021 to set out how the council wanted to work in partnership with tenants to ensure they had the opportunity to engage with the housing service in whatever way suited them.

This updated version explains how we want to involve tenants in helping us fulfil the current and future expectations of the council, its tenants, the Regulator of Social Housing and central government.

Strategic Priorities for the Council

This strategy and the tenant-centred aims of the housing service are directly linked to the ambitions outlined in the Council's Corporate Plan for 2021-2030, '**Creating Tomorrow Together**'.

The plan has four service ambitions:

A Vibrant Economy: Focus on attracting investment into the area, adapting to changes in the economies of local business and high streets in the area to increase employment, aspirations and the success of local businesses.

Quality Homes and Infrastructure: Ensure better access to a wider choice of high-quality homes for all residents in the district, embracing sustainability.

Positive Community Leadership: To support and contribute to the health and wellbeing of residents. Addressing inequalities of access to resources and welfare services between communities, such as education, transport, and health provision.

A Thriving Environment: Providing and maintaining open spaces and investment in green infrastructure to enhance our natural environment. Part of this is the aim that council services will generate net zero carbon emissions by 2030.

The work undertaken to achieve these ambitions is driven by six key principles, which include continuous improvement, and a commitment to be transparent, stable and accountable. The work we do alongside tenants in scrutinising the delivery of the housing service is part of 'Creating Tomorrow Together'.

Regulatory Requirements

Regulator of Social Housing Standards

There are four consumer regulatory requirements that housing providers must adhere to. For the purposes of tenant engagement, the council must follow the requirements of the Regulator of Social Housing's '**Transparency, Influence and Accountability Standard**', which replaces the previous 'Tenant Involvement and Empowerment Standard' in April 2024. The following are the six required outcomes for all social housing providers:

- **Fairness and respect:** treat all tenants with fairness and respect
- **Diverse needs:** take action to deliver fair access to, and equitable outcomes of, housing and landlord services for all tenants
- **Engagement with tenants:** take tenants' views into account in decision making about how landlord services are delivered
- **Information about landlord services:** communicate with tenants and provide information so tenants can use landlord services, understand what to expect from their landlord, and hold their landlord to account
- **Performance information:** collect and provide information to support effective scrutiny by tenants of their landlord's performance in delivering landlord services
- **Complaints:** ensure complaints are addressed fairly, effectively, and promptly

The standard underpins the principles of co-regulation and tenant engagement. This ensures that elected councillors and council officers are responsible for ensuring that housing services are managed effectively. The council must demonstrate that we support tenants to shape and scrutinise service delivery and to hold us to account where standards are not being met.

Tenant Satisfaction Measures Standard

This came into effect from April 2023 and requires social landlords to collect, and publish, performance against 22 Tenant Satisfaction Measures (TSMs).

The data for 10 of these comes from in-house data, and landlords must carry out an annual tenant satisfaction survey to collect data for the other 12 TSMs. The TSMs cover five themes:

- Keeping properties in good repair
- Maintaining building safety
- Respectful and helpful engagement
- Effective handling of complaints
- Responsible neighbourhood management

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This Act was introduced in July 2023 following the publication of the government's "Charter for Social Housing Tenants" white paper in 2020. It introduces measures to give tenants a greater voice, ensure things are remedied more quickly for tenants, have more opportunity to hold their landlord to account, and gives the Regulator of Social Housing more powers to intervene when things go wrong.

The Act introduced these changes:

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- Social housing managers are required to hold appropriate qualifications

About Tenant Engagement

What is Tenant Engagement?

Tenant engagement is a term used to cover many different tasks and activities through which tenants can contribute to, or oversee how, the housing service is delivered. As part of its vision the council will ensure that tenants are provided with a range of flexible options for involvement and engagement at different levels, which include both formal and informal settings in person and online.

Key Elements of Effective Engagement:



The council has created various ways for tenants to participate in engagement activities safely and at a time and in a way that suits them; we are supporting tenants to learn and explore new ways of working and communicating with us to ensure engagement thrives and delivers improved services for the benefit of all tenants.

Impact & Outcomes of Meaningful Engagement

Effective engagement reaches all tenants, not just those already involved, ensuring everyone has opportunities to contribute should they wish to do so. It is not only about what tenants can tell us about their housing experience and needs, but also about giving tenants an understanding of what a housing provider must consider when delivering the service. This honest, open exchange of information promotes meaningful engagement, realistic expectations, as well as better decision making, which improves outcomes and value for money.



The knock-on effect increases tenant and staff satisfaction, of pride in a person’s home, neighbourhood and workplace, leading to a sense of place within the community.

Good engagement is built on mutual respect and the council has an enormous appreciation for the dedication shown by the Strategic Tenants Advisory Panel and Independent Living Forum, and for the experience and knowledge of its members. The aim is to expand engagement to increase the positive impact and service outcomes.

Tenant Engagement Structure

We have developed a structure which allows tenants to participate as much or as little as they want. This is being done with different streams and levels of tasks and activities.

The Strategic Tenants Advisory Panel (STAP) is a small group of representative tenants who will work with the council at a strategic level. Their brief includes monitoring performance against the expectations of the Regulator of Social Housing’s Consumer Standards, specifically the Transparency, Influence and Accountability Standard. They hold us to account by regularly scrutinising our performance information.

Working alongside the senior managers and councillors, the group will help deliver year upon year of improved service delivery. STAP makes recommendations to the Chief Officer for Housing and Director of Housing & Operations and share the views of tenants in their neighbourhoods, which have been fed back through evidence from the 'Your Choice' and 'Business / Customer Insight' channels (see below).

It is recognised that for tenants to be able to perform this strategic role, they require ongoing support, training and appropriate resources, which is provided by the council.

Your Choice draws on the pool of tenants and leaseholders who have expressed an interest in active engagement. It includes smaller groups of tenants who come together, either in person or online, to:

- Examine a particular service area in detail and make recommendations for changes (Tenant Scrutiny Panel)
- Examine and comment on services specifically provided to tenants in our independent living schemes (Independent Living Forum)
- Examine and comment on proposals for changes to key policies
- Be involved in local matters, such as major works on an estate
- Be part of particular interest groups, such as taking part in the annual Garden Competition
- Take part in local area walkabouts/inspections.
- Be Estate Champions
- Be mystery shoppers

Your Choice Plus involves seeking the views of as many tenants as possible, either on matters that affect all tenants or more locally based issues, in ways that are accessible, convenient and do not require ongoing commitment. This includes, for example:

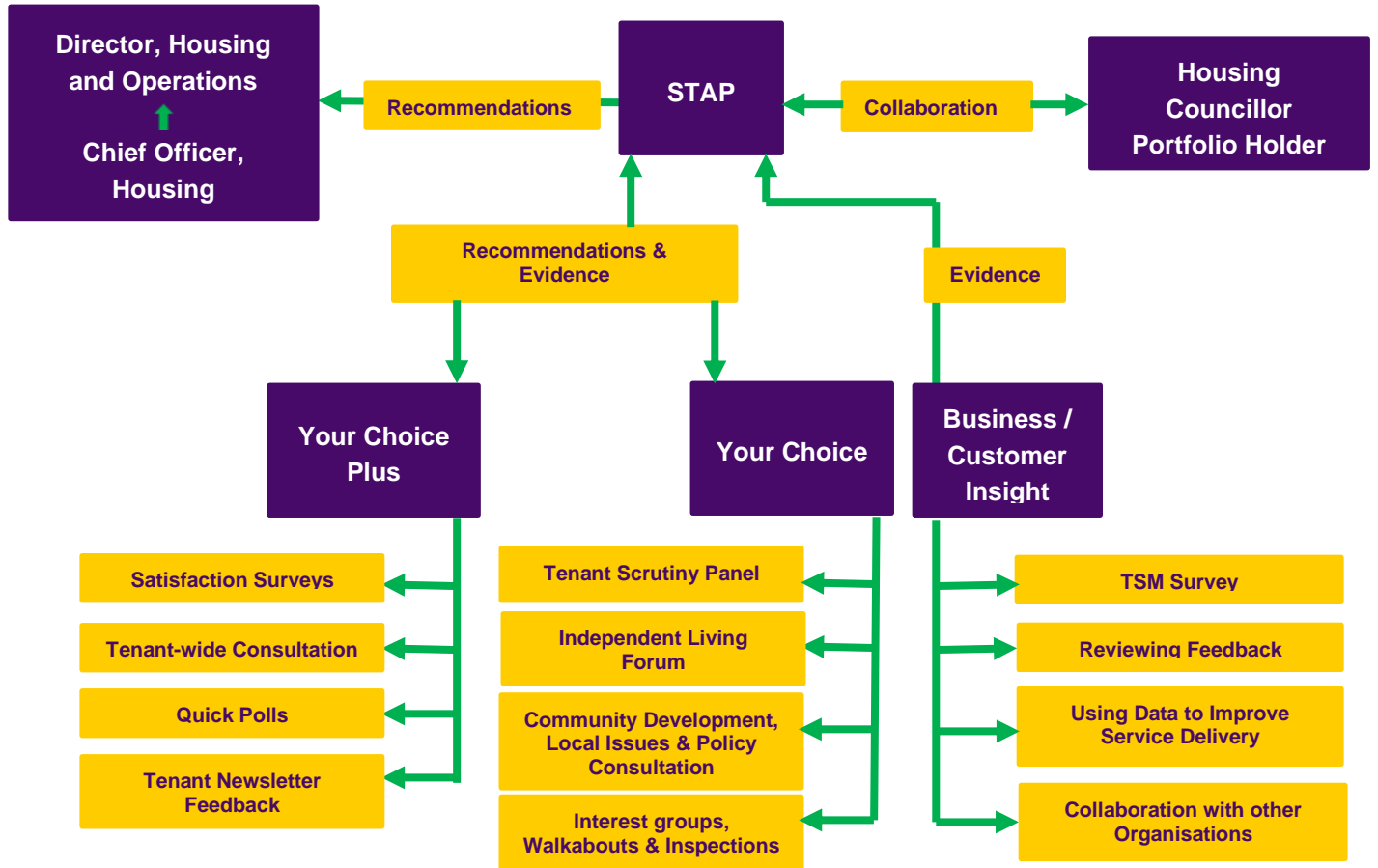
- Promoting and completing satisfaction surveys
- Local or tenant-wide online or postal consultations
- Quick polls using social, and other, media
- Seeking responses to articles in the tenant newsletter

Business or Customer Insight is about making good use of all the data and information that we possess or receive from tenants about services and satisfaction. It also includes learning from best practice in other organisations. Some examples include:

- Tenant Satisfaction Survey – Since April 2023, it is now a legal requirement under the expectations set out by the Regulator for Social Housing’s Tenant Satisfaction Measures standard for landlords to carry out an annual tenant perception survey
- Reviewing feedback received, including complaints and compliments, social media comments and contractor satisfaction surveys
- Working to improve our customer profile data
- Working to make best use of transactional data – the reasons our tenants contact us, such as to report a repair or a neighbourhood problem, which combined with profile data can help us to understand the important issues that affect different groups of tenants
- Exploring collaborative working with other landlords and organisations
- Aiming to introduce real-time data so we can quickly identify and respond to issues or concerns promptly
- There are various neighbourhood level tenant engagement groups and opportunities across the ‘Your Choice Plus’ part of the Tenant Engagement structure. There are direct groups of tenants and leaseholders that feedback and take part in surveys via email and text. In February 2022 there was an online consultation by email asking for views about ending fixed term tenancies, that generated a good response, which supported our proposal for the cessation of this type of tenancy
- There is a tenants’ only private Facebook group that has a programme of three-times weekly updates and posts, and STAP are also given the opportunity to post to tenants directly, to share key messages independently of the council
- There is also the suggestions and feedback portal on the website as well as the dedicated tenant involvement email address that all gets channelled directly to the Tenant Liaison Officer to pick up and action
- Tied in with work to link the tenants’ section of the F&HDC website to the ‘MyAccount’ service, the Housing Service has ambitions to collect more data from our tenants and then use the insights gained to help shape the service

- [Housing Online](#), which is the tenant access portal, was launched in January 2023. This provides tenants with quick and easy access at their convenience using a smartphone, PC or tablet, 24/7. The new service frees up staff resources to support those who may benefit from additional assistance. Information that can be accessed directly by tenants includes:
 - Viewing and updating contact and personal details
 - Viewing rent balances and statements
 - Making online payments
 - Setting up a Direct Debit
 - Requesting a repair
 - Chasing the progress of a repair
 - Viewing repair history
 - Responding to surveys
 - Uploading documents
 - Making payments

Tenant Engagement Structure diagram:



Supporting a Tenant Engagement Culture

Tenant Engagement comes from and promotes a culture of mutual trust, respect and partnership between tenants and the landlord. It exists when these interests work together towards a common goal of continuously improving housing conditions and housing services. Tenant engagement will not be the responsibility of one or two members of staff, but will be an expectation of all members of the housing team.

The key principles of a tenant engagement culture are that:

- Tenant engagement should be a continuous process where participants share information and ideas, working towards a common understanding of problems and agreeing solutions
- All participants need to have all the information available to consider issues properly, this needs to be clear, timely and accessible
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- Decision-making processes should be open, clear and accountable
- Tenants should have enough time to consider matters properly. They should have the opportunity to work out a common view
- The landlord must recognise the independence of the tenants' voice
- Good working relations evolve gradually so must be flexible to adapt to local circumstances
- Tenants need adequate resources for training and access to support in order to be organised and methodical when required
- All consultations, surveys and feedback requests are designed so that the majority of tenants are able to participate, should they wish to do so, and they are given a generous amount of time to respond.
- STAP have their agenda and any resources and presentations a full week before the meeting and if it is a long or complex document, such as a policy it is sent as early as possible so that they can confer and provide any feedback in between meetings.

- All tenant engagement groups meetings are minuted and the minutes and actions from each previous meeting are checked and agreed independently by the tenants so that they are able to see the process and actions taken from their requests and feedback. Tenant Liaison Officer/s will be on hand to respond or attend events and meetings out of hours where needed.
- Members of the engaged tenants' groups have been provided with hardware where needed such as laptops and/or tablets, sessions have been provided to assist tenants in using online meeting platforms.
- All questions received via social media or other sources are noted and responded to. Tenant involvement and impact assessment data is expected in formal reports that are produced by the housing service.

Barriers to Engagement

It is important to identify the barriers that hinder tenant engagement and how these can be overcome. We recognise there are many barriers which prevent meaningful engagement, including:

- Lack of skills, training and/or confidence needed
- Understanding published information
- Time, work, family, caring constraints
- Transport, travel and other expenses

The Council is therefore committed to offering solutions and opportunities so that tenant engagement is as easy to access as possible for tenants. These solutions include, but are not limited to:

- Providing training and support for tenants who would like to engage in any way
- Providing information in a range of formats to ensure it can be understood by all
- Providing information in a timely way, allowing tenants a reasonable and appropriate period to understand the information before commenting or giving feedback
- Providing transport and covering the financial costs incurred by tenants and leaseholders in carrying out their engagement roles

- Offering a wide range of engagement methods to suit all lifestyles, and in challenging situations to allow tenants to continue to engage safely
- Arranging meetings at times and locations, or online, which are accessible and safe for tenants
- Providing practical support to establish engagement groups
- Training has been provided to the STAP team, ranging from skills based, including IT and board member skills to technical housing knowledge training.
- Full sessions have been provided to cover published information such as new government legislation, and policies and procedures that we are asking for feedback on
- We have a flexible approach to all tenant engagement, with a variety of ways to join in - online meetings, via email, telephone and letter, meetings can be facilitated at weekends or in the evenings if required. All costs are covered for transport and refreshments and other reasonable out of pocket expenses may be covered.
- All meetings are facilitated and supported by council officers.

Valuing Diversity

At the heart of this the housing service is our commitment to providing a fair and equitable service and ensuring that tenants are treated without discrimination. This strategy helps to deliver this commitment. We will make sure that in delivering our services we continue to be inclusive and representative. We want all our tenants to have the opportunity to be involved, regardless of protected characteristics or any other factors including: age, disability, ethnicity, gender, sexual orientation, marital status or civil partnership, pregnancy or maternity status. We are committed to continuing to promote a digital agenda but we will also provide information in other formats when required.

Training for Staff and for tenants about Tenant

Engagement

For this strategy to be successful it will be important that key staff and tenants have the right skills and approach. This will require an ongoing learning programme to help develop the right culture within the housing service, and to equip tenants with the necessary understanding of the service.

Tenant engagement has been embedded into the culture of the housing service. Routine training was developed and rolled out to all members of the housing team during 2022 and guidance and support is ongoing.

Communication

High quality communication is key to keeping tenants informed, and to developing a mutually beneficial landlord/tenant relationship that encourages feedback and engagement. Quality can be measured in terms of the style, frequency and content of communications. As part of this strategy the council will:

- Publish a tenant handbook and keep this updated
- Publish a tenant newsletter at least twice each year, and work with tenants on its content and style
- Publish "your voice, our action" bulletins twice each year, to update tenants on what the council has done as a result of tenant feedback
- Produce key performance information
- Ensure all consultation documents and correspondence are produced in a clear and accessible style
- Maintain an accessible and up to date housing section of the council's website
- Maintain a regular and up to date presence on social media
- The council's Communications team includes an Officer that devotes specific time to working on housing communications
- Relevant updates are shared several times a week on the main social media pages and the website and events, updates and timely news is sent out with rent statements or via email and text
- Promoting relevant updates and surveys through the Housing Online portal

Tenants' Key Priorities

Based on feedback received from the tenant satisfaction survey conducted in 2023, key service delivery priorities for tenants are:

- o Repairs and maintenance – delivery of a good service
- o Feeling listened to – dealing effectively with complaints
- o Dealing with anti-social behaviour effectively

Listening to tenants' views, this strategy focuses on engaging with tenants in relation to these key areas, alongside other concerns and priorities.

Monitoring Our Performance

It is important that tenants hold us to account, that we do what we say we will do, and our performance against the commitments set out in this strategy are visible to tenants, councillors and other key stakeholders. To do this we will:

- Produce a Tenant Engagement Action Plan which will show how this strategy is being delivered and how we are acting upon tenant feedback every year
- Develop a set of key performance indicators to monitor key aspects of the strategy
- Produce regular briefings on tenant engagement activities
- Update all tenants via the tenant newsletter on the work and achievements in tenant engagement

This strategy sets out our aims, ambitions and commitments for developing tenant engagement for the coming years. We acknowledge that there is always room for improvement and so we will ensure that we review this strategy each year and provide updates to tenants, councillors and other stakeholders.

Tenant Engagement Strategy

Hearing our Tenants' Voice

2024-2030

Housing Service

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Foreword

Councillor Rebecca Shoob, Cabinet Member for Housing and Homelessness



Nobody knows more about homes and neighbourhoods than the people who live in them. That's why it is essential that all our tenants and leaseholders across the district have the opportunity to share their insight when it comes to running our housing service.

We are very lucky to live in a beautiful district that ranges from rural to urban, from coast to hills to marsh. Just as we have a diverse geographic area, there are different ways that suit different people to get in touch. We want to make sure that everyone who wants to can share their knowledge and experience in a way that works for them.

By working in partnership with tenants, together we can create a great housing service and make a positive difference for you, your neighbourhood and the wider community.

Gill Butler, Chief Officer – Housing



A great deal has happened over the past few years across Folkestone & Hythe District Council (F&HDC), and within the council's housing service, and I am pleased to say that much of this work has been developed in co-production with our tenants and leaseholders.

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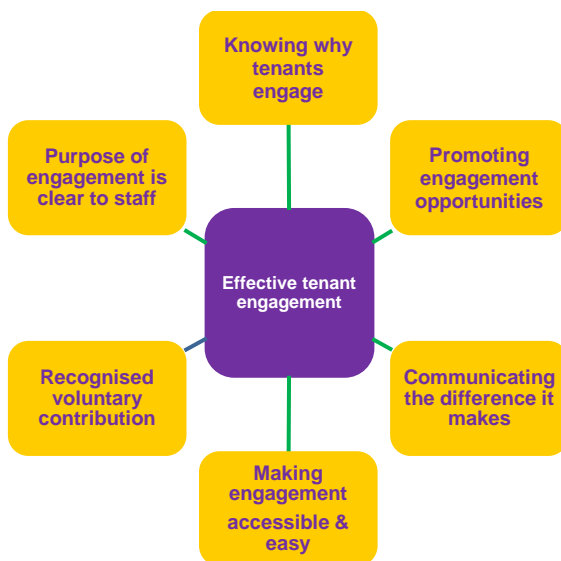
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Good engagement is built on mutual respect and the council has an enormous appreciation for the dedication shown by the Strategic Tenants Advisory Panel and the Independent Living Forum ~~involved tenants over the years~~, and for their ~~their~~ experience and knowledge of its members. The aim ~~remains-is~~ to expand engagement to increase the positive impact and service outcomes.

Tenant Engagement Structure

We have developed a structure which allows tenants to participate as much or as little as they want. ~~We see this~~ This is being done ~~as-with~~ different streams and levels of tasks and activities.

The ~~–~~Strategic Tenants Advisory Panel (STAP) is a small group of representative tenants who will work with the council at a strategic level. Their brief will include monitoring performance against the expectations of the ~~'Charter for Social Housing Residents'~~ and the Regulator of Social Housing's Consumer Standards, and specifically the 'Transparency, Influence and Accountability Standard'. They hold us to account by regularly scrutinising our performance information.

Working alongside the senior managers and ~~the~~ councillors ~~holding the housing portfolio,~~ the group will help deliver year upon year of improved service delivery. ~~The Tenants' Voice STAP will~~ makes recommendations to the Chief Officer for Housing and Director of Housing & Operations and share the views of tenants in their neighbourhoods, which have been gained through evidence from the 'Your Choice' and 'Business / Customer Insight' channels (see below).

It is recognised that for tenants to be able to perform this strategic role, they will require on-going support, training and appropriate resources, which is provided by the council.

Your Choice ~~will~~ draws on the pool of residents who have expressed an interest in active engagement. It includes smaller groups of tenants who come together, either in person or online, to:

- Examine a particular service area in detail and make recommendations for changes (Tenant Scrutiny Panel)
- Examine and comment on services specifically provided to ~~residents~~ tenants in our independent living schemes (Independent Living Forum)
- Examine and comment on proposals for changes to key policies
- Be involved in local issues such as major works on an estate
- Be part of particular interest groups, such as taking part in the annual Garden Competition

- Take part in local area walkabouts/inspections.
- Be Estate Champions
- Be mystery shoppers

Your Choice Plus ~~will~~ involves seeking the views of as many tenants as possible, either on ~~issues-matters~~ that affect all tenants or more ~~locally-based~~ locally based issues, in ways that are accessible, convenient and do not require ongoing commitment. This ~~could~~ includes, for example:

- ~~Promoting and completing s~~Satisfaction surveys
- Local or tenant-wide online or postal consultations
- Quick polls using social, ~~and other,~~ media
- Seeking responses to articles in the tenant newsletter

Business or Customer Insight is about making good use of all the data and information that we

possess or receive ~~from tenants~~ about services and satisfaction. It includes learning from best practice in other organisations. Some examples include:

- Tenant Satisfaction Survey – since April 2023, it is now a legal requirement under ~~t~~ the ~~expectations set out by the~~ Regulator of Social Housing’s Tenant Satisfaction Measures standard for landlords to carry out an annual tenant perception ~~surveys~~survey.
- Reviewing feedback received, including complaints and compliments, social media comments and contractor satisfaction ~~surveys~~surveys.
- Working to improve our customer profile data
- Working to make best use of transactional data – the reasons our tenants contact us, such as to report a repair or a neighbourhood problem, which combined with profile data can help us to understand the important issues ~~to-that affect~~ different groups of tenants
- Exploring collaborative working with other landlords and organisations
- ~~Aiming to introduce real-time data so we can quickly identify and respond to issues or~~ ~~concerns~~concerns promptly,
- ~~There are various neighbourhood level tenant engagement groups and opportunities across the ‘Your Choice Plus part of the Tenant Engagement~~

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structure. There are direct groups of tenants and leaseholders that feedback and take part in surveys via email and text. In February 2022 there was an online consultation by email asking for views about ending fixed term tenancies, that generated a good response, and which supported our proposal for the cessation of these tenancies this type of tenancy.

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- There is a tenants' only private Facebook group that has a programme of three-times weekly updates and posts, and STAP are also given the opportunity to post to tenants directly, to share key messages independently of the council.
- There is also the suggestions and feedback portal on the website as well as the dedicated tenant involvement email address that all gets channelled directly to the tenant engagement specialist Tenant Liaison Officer to pick up and action.
- Tied in with work to link the tenants' section of the FHDC website to the 'MyAccount' service, the Housing Service has ambitions to collect more data from our tenants and then use the insights gained to help shape the service.
- Housing Online, which is the tenant access portal, was launched in January 2023. This provides tenants with quick and easy access at their convenience using a smartphone, PC or tablet, 24/7. The new service frees up staff resources to support those who may benefit from additional assistance. Information that can be accessed directly by tenants includes:
 - Viewing and updating contact and personal details
 - Viewing rent balances and statements
 - Making online payments
 - Setting up a Direct Debit
 - Requesting a repair
 - Chasing the progress of a repair
 - Viewing repair history
 - Responding to surveys
 - Uploading documents
 - Making payments

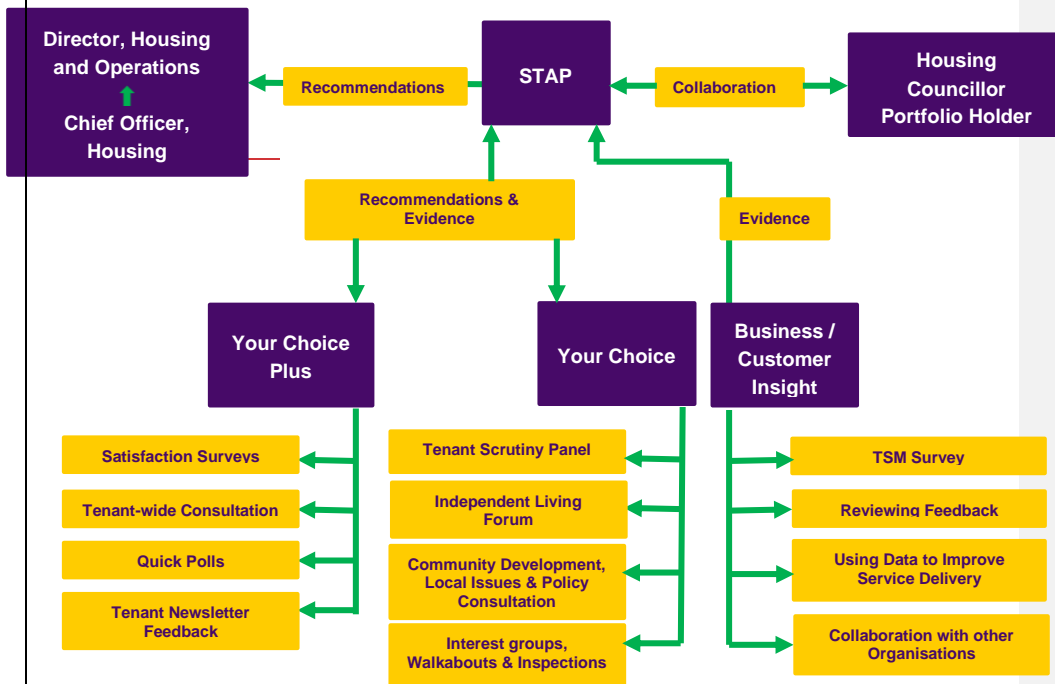
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Tenant Engagement Structure diagram:



Supporting a Tenant Engagement Culture

Tenant Engagement comes from and promotes a culture of mutual trust, respect and partnership between tenants and the landlord. It exists when these interests work together towards a common goal of better-continuously improving housing conditions

and housing services. Tenant engagement will not be the responsibility of one member of staff, but will be an expectation of all members of the housing team.

The key principles of a tenant engagement culture are that:

- Tenant engagement should be a continuous process where participants share information and ideas, working towards a common understanding of problems and agreeing solutions
- All participants need to have all the information available to consider issues properly, this needs to be clear, timely and accessible
- All participants need to have all the information available to consider issues properly. Information needs to be clear, timely and accessible
- Decision-making processes should be open, clear and accountable
- Tenants should have enough time to consider issues properly. They should have the opportunity to work out a common view
- The landlord must recognise the independence of the tenants' voice
- Good working relations evolve gradually so must be flexible to adapt to local circumstances
- Tenants need adequate resources for training and access to support in order to be organised and methodical when ~~required~~required.
- All consultations, surveys and feedback requests are designed so that the majority of tenants are able to participate, should they wish to do so, and they are given a generous amount of time to respond.
- STAP have their agenda and any resources and presentations a full week before the meeting and if it is a long or complex document, such as a policy it is sent as early as possible so that they can confer and provide any feedback in between meetings.
- All tenant engagement groups meetings are minuted and the minutes and actions from each previous meeting are checked and agreed independently by the tenants so that they are able to see the process and actions taken from their requests and feedback. ~~Tenant Liaison Officer/s The Tenant Engagement Specialist role covers out of office hours where needed and is will be~~ on hand to respond or attend events and meetings ~~at weekends and evenings~~out of hours where needed.

Page | 14

- Members of the engaged tenants' groups have been provided with hardware where needed such as laptops and tablets, sessions have been provided to assist tenants in using online meeting platforms.
- All questions received via social media or other sources are noted and responded to. ~~and resident~~ Tenant involvement and impact assessment data is expected in formal reports that are produced by the housing service

Barriers to Engagement

It is important to identify the barriers that hinder tenant engagement and how these can be overcome. We recognise there are many barriers which prevent engagement, including:

- Lack of skills, training and/or confidence needed
- Understanding published information
- Time, work, family, caring constraints
- Transport, travel and other expenses

The Council is therefore committed to offering solutions and opportunities so that tenant engagement is as ~~e~~ easy to access as possible for tenants. These solutions include, but are not limited to:

- Providing training and support for tenants who would like to engage in any way
- Providing information in a range of formats to ensure it can be understood by all
- Providing information in a timely way, allowing tenants a reasonable and appropriate period to understand the information before commenting or giving feedback
- Providing transport and covering the financial costs incurred by tenants and leaseholders in carrying out their engagement roles
- Offering a wide range of engagement methods to suit all lifestyles, and in emergency-challenging situations to allow tenants to continue to engage safely
- Arranging meetings at times and locations, or online, which are accessible and safe for tenants
- Providing practical support to establish engagement groups

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- [Training has been provided to the STAP team, ranging from skills based, including IT and board member skills to technical housing knowledge training.](#)
- [Full sessions have been provided to cover published information such as new government legislation, and policy and procedure that we are asking for feedback on.](#)
- [We have a flexible approach to all tenant engagement, with a variety of ways to join in - online meetings, via email, telephone and letter, meetings can be facilitated at weekends or in the evenings if required. All costs are covered for transport and refreshments and other reasonable out of pocket expenses may be covered.](#)
- [All meetings are facilitated and supported by council officers.](#)

Valuing Diversity

At the heart of this the housing service is our commitment to providing a fair and equitable service and ensuring that tenants are treated without discrimination. This strategy helps to deliver this commitment. We will make sure that in delivering our services we continue to be inclusive and representative. We want all our tenants to have the opportunity to be involved, regardless of [protected characteristics or any other factors including:](#) age, disability, ethnicity, gender, sexual orientation, marital status or civil partnership, pregnancy or maternity status. We are committed to a digital agenda but ~~also~~ we will [also](#) provide information in other formats when required.

Training for Staff and for tenants about Tenant Engagement

For this strategy to be successful it will be important that key staff and tenants have the right skills and approach. This will require a comprehensive training programme to help develop the right culture within the housing service, and to equip tenants with the necessary understanding of the service.

[Tenant engagement has been embedded into the culture of the housing service. Routine training was developed and rolled out to all members of the housing team during 2022 and guidance and support is ongoing.](#)

Communication

High quality communication is key to keeping tenants informed, and to developing a mutually beneficial landlord/tenant relationship that encourages feedback and engagement. Quality can be measured in terms of the style, frequency and content of communications. As part of this strategy the council will:

- Publish a ~~Tenants H~~handbook and keep this updated
- Publish a tenant newsletter at least twice each year, and work with tenants on its content and style
- Publish "your voice, our action" bulletins twice each year, to update tenants on what the council has done as a result of tenant feedback
- Produce key performance information
- Ensure all consultation documents and correspondence are produced in a clear and accessible style
- Maintain an accessible and up to date housing section of the council's website
- Maintain a regular and up to date presence on social media
- The council's Communications team includes an Officer that devotes specific time to working on housing communications~~FHDC have employed a campaigns expert as the housing team's Communications Specialist. The communications plan includes two main tenants' newsletters per year and 2 smaller bulletins per year, plus the housing Annual report.~~
- Relevant ~~U~~updates are shared several times a week on the main social media pages and the website and events, updates and timely news is sent out with rent statements or via email and text.
- Promoting relevant updates and surveys through the Housing Online portal

Tenants' Key Priorities

Based on feedback received from the tenant satisfaction survey conducted in 2023, key service delivery priorities for tenants are:

- o Repairs and maintenance – delivery of a good service
- o Feeling listened to – dealing effectively with complaints

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- o Dealing with anti-social behaviour effectively

Listening to tenants' views, this strategy focuses on engaging with tenants in relation to these key areas, alongside other concerns and priorities.

Monitoring Our Performance

It is important that tenants hold us to account, that we do what we say we will do, and our performance against the commitments set out in this strategy are visible to tenants, councillors and other key stakeholders. To do this we will:

- Produce a Tenant Engagement ~~detailed~~ action plan which will show how this strategy ~~will be~~ is being delivered and how we are acting upon tenant feedback every year
- Develop a set of key performance indicators to measure key aspects of the strategy
- Produce regular briefings on tenant engagement activities
- Update all tenants ~~annually~~, via the tenant newsletter, on the work and achievements in tenant engagement

Action Plan

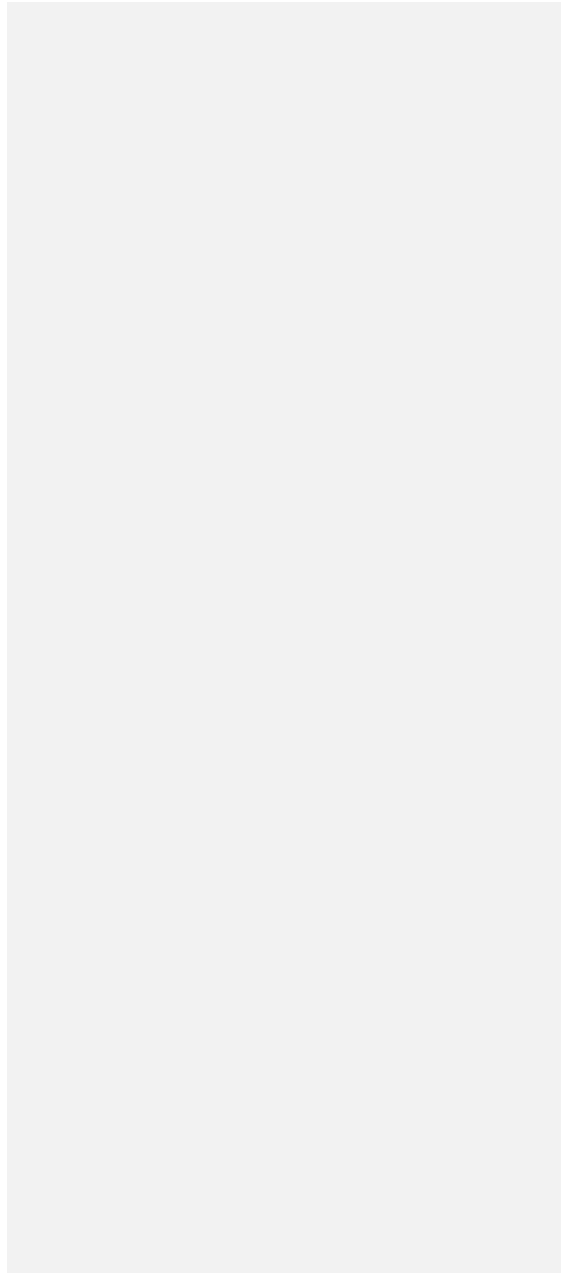
This strategy sets out our aims, ~~ambitions~~ ambitions, and commitments for developing tenant engagement for the ~~next three coming~~ years. We acknowledge that there is always room for improvement and so we will ensure that we review this strategy each year and provide updates to tenants, councillors and other stakeholders.

~~we are not there yet and that this work will involve many different tasks, projects and work streams. Alongside this strategy we have produced an action plan which includes:~~

- ~~Developing a training programme for staff and tenants~~
- ~~Considering innovative ways to digitally engage with tenants~~
- ~~Working to improve tenant profile data~~
- ~~Working to improve tenant contact details, especially email addresses~~

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- ~~Developing the engagement structure~~
- ~~Designing and implementing a recruitment process for the Tenants' Voice group~~
- ~~Develop terms of reference and a work plan for the Tenants' Voice group~~
- ~~Develop social media platforms~~



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This Report will be made public on 12 March 2024



Report Number **C/23/93**

To: Cabinet
Date: 20 March 2024
Status: Non key
Responsible Officer: Samuel Aligbe – Chief Officer, Corporate Estate and Development
Cabinet Member: Cllr Jim Martin, Leader and Cabinet Member for Otterpool Park and Planning Policy

SUBJECT: DISPOSAL OF PROPERTY – STOUR BANK, STONE STREET, STANFORD SOUTH, KENT TN25 6DE

SUMMARY: This report seeks permission from Cabinet to dispose of the property Stour Bank, Stone Street, Stanford South, TN25 6DE, recommending that the disposal is carried out immediately to provide a capital receipt to the council for the financial year 2024/25.

REASONS FOR RECOMMENDATIONS:

The property known as Stour Bank, Stone Street, TN25 6DE was purchased during the land assembly phase for the Otterpool Park project. The property has been rented out since its acquisition in 2020. The property is now vacant, and Officers have explored options for the future of the property and recommend that it is sold to provide a capital receipt for the Council.

RECOMMENDATIONS:

1. To receive and note report C/23/93.
2. To authorise the Director – Housing & Operations to proceed with the disposal of the property Stour Bank, Stone Street, Stanford South, TN25 6DE and achieve best value for the Council.
3. To provide delegated authority to the Director - Housing and Operations to agree the commercial terms for the disposal of the property and to facilitate the transaction through to completion.

1. INTRODUCTION

- 1.1 The property 'Stour Bank' (Stour Bank, Stone Street, Stanford South, TN25 6DE) was purchased by the Council in August 2020 for [REDACTED] as part of the Otterpool Park property acquisitions. Please see appendix A for the property location plan.
- 1.2 Report to Cabinet in July 2018 (C/18/19) gave the Head of Strategic Development authority to proceed with property acquisitions for residents affected by the Otterpool Park development. This property was purchased from the approved budget.
- 1.3 Whilst the property sits outside of the development redline boundary it was deemed appropriate to purchase the property at that time due to the personal health circumstances of the family who owned the property, and concerns about the potential effect that the development would have on them and the health of their child that had significant complicated breathing conditions. The overwhelming rationale behind the purchase in 2020 was that the council should act as a considerate developer and good neighbour, and it was considered a reasonable and appropriate use of funds at that time. The purchase was carried out within the agreed delegated authority and budgets.
- 1.4 As Members will be aware, circumstances surrounding the project have moved on significantly and delivery plans have advanced with a resolution to grant planning secured. The property is not required to facilitate development of the garden town and it will not feature in any of the wider development activities.
- 1.5 Since its acquisition in 2020, the property has been successfully rented out through Smith Woolley for [REDACTED]. However, the property is now currently empty after the tenant vacated on 31st May 2023.
- 1.6 In February 2024 the property was valued by Sibley Pares, and the recommendation from officers, having considered various options, is that best value is sought through disposal.

2. BACKGROUND

- 2.1 The property is located in Stanford South, near to the proposed Otterpool Park garden town, however the property sits outside of the red line boundary for the new development.
- 2.2 Council officers have discussed the possibility of the property being utilised by the council's Housing team. Due to the extensive repairs that are required to bring it up to a suitable standard comparable to the Council's existing housing stock, and its rural location away from other Council Housing stock and amenities, it is currently seen as unsuitable to house prospective council tenants, or tenants requiring temporary accommodation.
- 2.3 The housing team have surveyed the property and put together an estimate of the works required to bring it up to an acceptable standard for Council

tenants. The estimate totals [REDACTED] at current rates for their term contractor to carry out the recommended works.

- 2.4 A Red Book property valuation has been carried out by Sibley Pares Chartered Surveyors and Estate Agents on the 13th of February 2024. The property has been valued at [REDACTED].

Property Valuation	Refurbishment Costs (estimate)	Rental Income (Historic £/pcm)	Payback period for refurbishment cost
[REDACTED]	[REDACTED]	[REDACTED]	3 years 1 month.
[REDACTED]			

3. OPTIONS

- 3.1 Various options for the site have been considered.

3.2 Retain and continue to rent.

The property would require refurbishment, however potential revenue to the HRA is not enough to pay the capital cost of refurbishment in a reasonable time. A 37 month payback period would be required based on the historic rental figure of [REDACTED]. This payback period does not include ongoing management costs, agents fees and any additional maintenance costs.

3.3 Property remains empty.

The property would continue to dilapidate, and the Council will still have ongoing management costs, and liabilities such as Council Tax and service connection charges. There would also be a loss of revenue (rental income) to the Council of [REDACTED] a year. Leaving the property empty would make it harder to sell at a later date if required.

3.4 Disposal

The Council can dispose of the property on the open market and receive a capital receipt for the financial year 2024/25. The capital receipt from the sale of the property would be allocated to the Otterpool Park account, towards paying down the Otterpool Park Loan. Delegated authority should be given to the Director of Housing and Operations to achieve best value for the Council in line with the red book valuation carried out on 13/02/2024.

4. RISK MANAGEMENT ISSUES

4.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
Property does not sell in current housing market.	Medium	Medium	Seek a budget and authority to refurbish the property and continue to rent until market improves.
Low offers received for the property.	Medium	Medium	Property to be advertised on the open market to maintain transparency.
Low engagement from the market.	Medium	Medium	Enter into multiagency arrangement and appoint an additional agent to market the site. Revisit the asking price for the property.

5. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

5.1 Legal Officer's Comments (NM)

There are no legal implications arising directly from this report. However, if the Council decides to dispose of the property then it must comply with s123 of the Local Government Act 1972 to ensure that it does not sell the land for less than the best consideration reasonably obtainable (unless it obtains the consent of the Secretary of State).

5.2 Finance Officer's Comments (DL)

The various options have different financial implications.

Retain and rent: this option provides a modest revenue stream for the Council's General Fund but would require capital works and revenue maintenance to bring the property up to standard and maintain it for any new tenants. Additional maintenance costs and management fees would need to be considered and would reduce any revenue generated from the rental.

Remain empty: this would not provide any income and incur costs for the General Fund in the form of, for example, Council Tax.

Disposal: the capital receipt from the sale of the property can be used to reduce the borrowing costs to the Council for Otterpool, thereby also reducing the MRP provision required. As the Council has used borrowing to fund the Otterpool project, it is subject to both finance costs (interest) and

MRP. A capital receipt can reduce the borrowing requirement, thus reducing both the interest costs incurred and the MRP required under regulation.

5.3 Diversities and Equalities Implications (GE)

There are no equality and diversity implications directly arising from this report.

5.4 Climate Change Implications (OF)

There are no Climate Implications arising from this report.

6. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting.

Samuel Aligbe – Chief Officer Corporate Estate and Development

Telephone: 01303 853794

Email: Samuel.Aligbe@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report:

None

Appendix A – Location Plan for Stour Bank, Stone Street

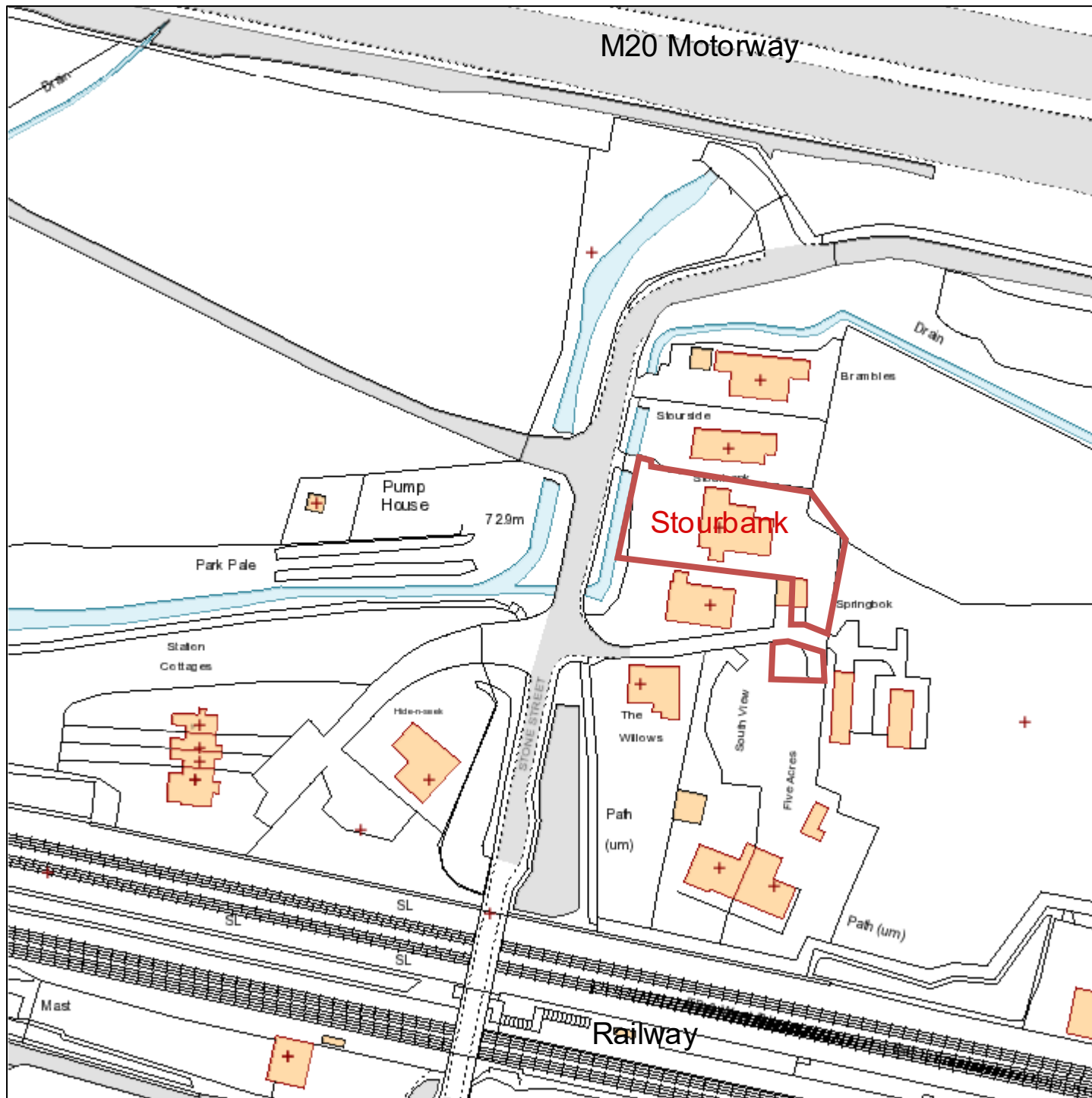
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
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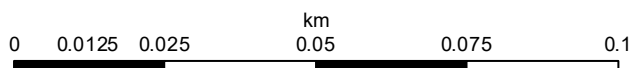
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Appendix A: Location Plan for Stourbank, Stone Street, Stanford, Ashford



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This Report will be made public on 12 March 2024



Report Number **C/23/98**

To: Cabinet
Date: 20th March 2023
Status: Key Decision
Responsible Officer: Andy Blazkowicz - Director Housing and Operations
Lead Officer: Samuel Aligbe Chief Officer - Corporate Estate and Development.
Cabinet Member: Cllr Rebecca Shoob Cabinet Member for Housing & Homelessness

SUBJECT: Highview, Moat Farm Road, Folkestone, CT19 5DJ: Update on Proposed Sale, Land Matters, and revision to Unilateral Undertaking.

SUMMARY: In February 2023 Cabinet (Cabinet report C/22/94) resolved to ask officers to investigate alternative delivery options which included a potential disposal to a 3rd party with the benefit of planning consent.

This report informs Members of the progress made since the previous report C/22/94 and seeks to obtain approval to proceed with the sale to the preferred bidder [REDACTED] following a marketing exercise undertaken in November 2023. A further decision is also required to approve an amendment to the Unilateral Undertaking, and vary the scheme to be policy compliant, as approved by planning committee on the 7th of November 2023 (planning reference number 23/1641/FH) for 22% affordable homes.

REASONS FOR RECOMMENDATIONS:

The [REDACTED] offer is the most financially beneficial offer following the marketing exercise. This offer, alongside the BLRF grant, allows the best opportunity to recover as much of the costs spent to date on the scheme. Additionally, [REDACTED] is a reputable local developer, with a track record of delivering high quality homes within the district. This supports F&H DC's local economic development and local procurement objectives. Market conditions that would have allowed for direct delivery of the scheme by F&H DC have not improved since cabinet considered report C/22/94, leaving F&H DC with little option other than delivering the site via disposal to a contracted party.

The reason for the recommendation to approve an amendment to the Unilateral Undertaking is to ensure the proposals can revert to a policy compliant scheme that is attractive to the market, as private developers have indicated through recent market testing that they are unwilling to build out a 100% affordable scheme.

The reason for the recommendation to approve the Private Right of Way (PROW) acquisition is to ensure the planning consent is implementable, as the PROW is within the planning application redline but not currently in the development and title plan redline. Regularising this matter will support efficient delivery of the scheme.

Officers are also seeking approval to enter into the Planning Overage Agreement as this will replace the current Turn Overage Agreement which is prohibitive and a barrier to Developers purchasing and developing the site.

RECOMMENDATIONS:

- 1. To receive and note report C/23/98.**
- 2. To note the work carried out following approval of Cabinet report C/22/94.**
- 3. To agree that the Director for Housing and Operations has delegated authority to accept the offer from the preferred bidder for the sum of [REDACTED] and to progress all land matters including the disposal process through to completion.**
- 4. To approve the acquisition of the PROW land with KCC.**
- 5. To approve F&H DC entering into a revised overage agreement with KCC.**
- 6. To accept the amendment to the Unilateral Undertaking which varies the scheme to a policy complaint level of affordable housing, as conditionally approved by Planning and Licensing Committee held on 7th November 2023.**

1. BACKGROUND

- 1.1 The site was acquired by F&H DC from KCC in December 2017 with the intention to deliver a 100% affordable housing scheme as part of the HRA programme. The scheme was to deliver a zero carbon-in-use development.
- 1.2 The Council was unable to deliver the scheme as originally conceived due to significantly changed economic context with financial pressures arising from acute and sudden interest rate increases, significant inflationary pressures within the construction sector and other competing HRA budgetary demands to meet current and emerging stock reinvestment obligations.
- 1.3 Following the cabinet decision to pause the scheme, a marketing exercise was undertaken in November 2023. This resulted in twelve expressions of interest and five bids were received. The most viable bid was for [REDACTED].
- 1.4 The offer price of £[REDACTED] plus the BLRF grant of £465k, which has already been received from the One Public Estate (OPE), brings the total income received to F&H DC for this potential sale to [REDACTED].
- 1.5 This income whilst welcome, does not however cover the council's total costs incurred to date on this project and leaves a small deficit, based on current spend and projected costs in relation to the work required to complete the sale of the site (Table 1).
- 1.6 However, it is worth noting that the council's positive intervention and expenditure on the site to date has de-risked the site to enable the private sector to consider the proposal, addressed the significant market failure, and enabled the site to come to the market for consideration. This is due to activities undertaken by the council in terms of the in-house design, obtaining planning consent, the demolition of the derelict school and conducting the ecological translocations of wildlife habitats. Major site preparation works have been undertaken by the council since purchase.

2. LAND MATTERS

- 2.1 The original purchase of the site from KCC had an overage agreement included. The overage agreement was of no consequence to F&H DC when the intention was to retain the site and develop a 100% affordable housing scheme.
- 2.2 To a developer seeking a policy complaint scheme of 22% affordable homes, the existing overage requirement becomes an obstacle to viability. This is due to the nature of the Turn Overage Agreement which requires a payment of 50% of any uplift to the land value on all onward sales for a period of 30 years and this requirement runs with the land despite the potential onwards sale of the land. The net effect is that it sterilizes the potential for development if no action is taken to amend the overage clause.
- 2.3 In response to the above a new planning overage has been agreed with Kent County Council (KCC) which accounts for both costs spent and allows for

developer profit. This has helped to make the development more viable to the market and any proposed new developer.

- 2.4 The Order for diverting the Private Right of Way (PROW) in KCC's ownership was made in October 2022 and will be completed on the conclusion of the Highview development. The future developer would conduct this.
- 2.5 The sale of the PROW land to F&H DC has been agreed and will complete once the new routes are constructed as part of the development.
- 2.6 The main footpath runs adjacent to Mead Road from Blackbull Road to Park Farm Road and will remain in place. The two routes linking this footpath to Downs Road and Moat farm road are to be diverted through the site. The reason for diverting the PROW is to bring the footpaths through the site to alleviate local concerns around anti-social behaviour. This followed on from early consultation and follows guidance regarding 'designing out crime'.
- 2.7 The original scheme was designed as 100% affordable housing for the HRA. To make the site more viable for the market to deliver this needs to be reduced to a policy compliant level of 22%. Members of cabinet are asked to formally approve the amendment to the Unilateral Undertaking and vary the scheme to be policy compliant, as approved by members of planning committee on the 7th of November 2023 (planning reference number 23/1641/FH).

3. CHALLENGES TO DIRECT DELIVERY OF SCHEME

- 3.1 The challenges faced to the direct delivery of the scheme were presented within the 22 February 2023 cabinet report C/22/94.
- 3.2 The scheme was tendered via the Ashford BC Framework, to be awarded under a design and build contract, with tenders returned on 30th August 2022. This resulted in three tender offers being received from local Kent based contractors.
- 3.3 The tender offers from the tender participants reflected build cost inflation which was significantly higher than the pre-tender cost plan.
- 3.4 The inflationary costs, alongside interest rate increases and pressure on the HRA budget, due to other housing stock reinvestment obligations and priorities, made the scheme unviable for direct delivery by FHDC.
- 3.5 The challenges to direct delivery by F&H DC have not subsided sufficiently since the February 2023 report, as market conditions and challenges reported continue to remain prohibitive.

4. OFFER FROM PREFERRED BIDDER

- 4.1 The site was marketed with local firm Motis Estates with a guide price of [REDACTED] to include the BLRF funding award of £465K.
- 4.2 The most viable offer from the market was [REDACTED] plus the retention by the council of the BLRF funding providing the council with a total income of [REDACTED].

- 4.3 Officers believe that the offers received reflect the complex and challenging viability issues on the site and the current market / inflationary conditions.
- 4.4 Whilst the sale of the site is unconditional the developer proposes to submit a revised planning application to increase the number of units on the site. Whilst this will be largely on the same footprint, the new application will increase to around 40 units from 30. This will also increase the number of affordable housing units to 9. The council is in discussion with the developer to potentially purchase these 9 affordable units, which will be subject to separate negotiations and the viability of the scheme, for the HRA.
- 4.5 Following discussions with One Public Estate they have confirmed in writing that the Grant Conditions will be met through a FHDC disposal of the site to a developer who will carry out the BLRF funded works as part of the development. From FHDC's perspective there will be conditions in the sale contract with the developer to ensure these works are carried out within the appropriate timescales.

5. REASONS FOR DISPOSAL

- 5.1 The disposal of the site will offer the council an opportunity to recover much of the expenditure spent to date on the scheme, reducing the pressures on the HRA budget.
- 5.2 The income received will release funds to enable the prioritisation of the capital programme for the upgrading of existing housing stock or purchasing new affordable homes for the HRA.
- 5.3 It will enable a local developer to take the site forward and deliver the homes, therefore achieving ongoing supply of much needed new homes for the district and supporting our local businesses and their supply chains, which is a matter council has recently indicated strong support for.
- 5.4 A further potential benefit will be the opportunity to purchase the affordable housing units for the HRA to secure and grow the affordable housing asset base within the district managed by the council. This will be subject to further negotiations, assessment of specific proposals and broader market conditions, a review of HRA budget capacity and pipeline, and overall viability.

6. OPTIONS

- 6.1 **Option 1:** Continue to pause the project and reconsider options when the financial outlook is more positive and market conditions are more favorable:
- Evidence that this scenario will evolve is inevitably speculative, uncertain, and subject to macro events and factors that by their nature are unpredictable.
 - There would be some (limited) costs in securing, maintaining the site and managing the ecology were this scenario to be adopted – Estimated at £20K PA.

- Loss of BLRF grant of £465k currently held by FHDC.
- Lose the opportunity to sell the site to a credible local developer and to take the site forward during challenging economic circumstances.
- Lose the opportunity to deliver much need housing and local regeneration and economic development benefits.

6.2 **Option 2:** Sell the site with the benefit of planning permission with demolition and ecology works completed:

- Will enable the prioritisation of the HRA capital programme to upgrade existing stock or deliver new homes to the HRA.
- Recovery of the costs spent to date.
- The BLRF grant would be secured through the transfer of the land to the proposed developer.
- Will enable another developer to take on the site and deliver the scheme, ensuring provision of new homes is realised.

7. RISK MANAGEMENT ISSUES

7.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
Purchaser does not complete land transaction	High	Low	Agreed HoTs, continuous dialogue with purchaser.
KCC overage agreement being delayed	High	Low	Continue ongoing dialogue with KCC
Drafting of the sales agreement being delayed	High	Medium	Progress sales agreements in a timely manner

8. FINANCIAL IMPLICATIONS

- 8.1 The total scheme capital spend is [REDACTED] including estimations for sales commission, legal fees, and PROW cost. No allowance for FHDC officer time is included.
- 8.2 Confirmed spend to date totals [REDACTED].
- 8.3 Acquisition costs [REDACTED] (include legal fees & SDLT).
- 8.4 Estimated further spend on sales commission, legal fees, and PROW costs [REDACTED].
- 8.5 The only viable bid is for the sum of £ [REDACTED].
- 8.6 BLRF grant already received by FHDC totaling £465k. This will be retained by the council should the site be released to a developer before 30th September 2024.
- 8.7 This transaction would offer a small loss of some [REDACTED]. Please see table 1 below detailing the costs and income of the scheme.

Table 1

Capital Spend	Amount
Acquisition	[REDACTED]
Confirmed Spend to Date	[REDACTED]
Estimated KCC Overage Fees	[REDACTED]
Estimated Motis Sale Commission	[REDACTED]
Estimated KCC PROW land costs	[REDACTED]
Estimated Legal fees for land sale	[REDACTED]
Total Anticipated Final Spend by FHDC.	[REDACTED]
Developer Offer Value	[REDACTED]
BLRF Grant	£465,000.00
Difference Between Spend and Income	[REDACTED]

9. KEY EVENTS AND PROGRAMME

9.1 See below Table 2 setting out the key milestones.

Table 2

Milestone	Dates
Acquisition of Highview from KCC	23/12/2017
Licensing and Planning Committee Approval	02/08/2022
BLRF Grant award	13/10/2022
Completion of Marketing Exercise	04/11/2023
Unilateral Undertaking Amendment (planning committee)	07/11/2023
Transfer of site to developer prior to BLRF Deadline	30/09/2024
Planning consent lapses	01/08/2025

10. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

10.1 Legal Officer's Comments (NM)

There are no legal implications arising directly from this report. However, if the Council decides to dispose of the property then it must comply with s123 of the Local Government Act 1972 to ensure that it does not sell the land for less than the best consideration reasonably obtainable (unless it obtains the consent of the Secretary of State).

10.2 Finance Officer's Comments (JS)

A local authority has a statutory duty under section 123 of the Local Government Act 1972 when disposing of an interest in land and other assets to obtain the best consideration reasonably obtainable. It is for the authority to demonstrate that it has achieved best consideration; if best consideration is not obtained, Secretary of State approval is required.

A local authority may dispose of assets/land at less than best consideration where the Secretary of State has given permission to do so or under the Local Government Act 1972: General Disposal Consent (England) 2003 in circumstances where the local authority considers the disposal is likely to contribute to the social, economic or environment wellbeing in its area.

Given that this sale requires BLRF grant monies in order to almost break even, it would be prudent to confirm whether all grant conditions are satisfied such that the grant terms have been satisfied.

Finance worked with Housing and Operations in the formulation of report C/22/94 and the macroeconomic picture outlined in that report has not materially changed. Option 1 would continue to draw revenue funding for site maintenance until such time as any development could be reasonably

performed directly by the Council (and be reliant on macroeconomic conditions and build costs outside Council control); whereas should members decide to proceed with option 2, a large capital receipt would return to the HRA and have addressed market failure in the district for a modest overall cost to the HRA.

10.3 Diversities and Equalities Implications (GE)

There are no equality and diversity implications directly arising from this report.

10.4 Climate Change Implications (OF)

There are no climate implications arising from this report.

11. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councilors with any questions arising out of this report should contact the following officer prior to the meeting.

Samuel Aligbe Chief Officer - Corporate Estate and Development
Telephone: 07742 763201
Email: samuel.aligbe@folkestone-hythe.co.uk

The following background documents have been relied upon in the preparation of this report: None.

(Note: only documents that have not been published are to be listed here)

Appendices:

None.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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