

Annex D**VARIATION REQUEST**

WHEREAS the Grant Recipient and the Secretary of State for Communities and Local Government entered into a grant funding agreement for the approved Project dated **22 July 2019**, and entered into a second grant funding agreement dated **23 June 2021**, extended to **31 March 2022**, (the “Second Grant Funding Agreement”) and now wish to amend the Second Grant Funding Agreement.

By The Transfer of Functions (Secretary of State for Levelling Up, Housing and Communities) Order 2021, the name of the Department has changed to the Secretary of State for Levelling Up, Housing and Communities. The rights and obligations of the Department, the Grant Recipient and the IDeA under the Second Grant Funding Agreement remain unchanged following the change of name of the Department. All references in the Second Grant Funding Agreement to “Ministry of Housing, Communities and Local Government” and “MHCLG” shall be amended to read “Department for Levelling Up, Housing and Communities” and “DLUHC” respectively.

For the avoidance of doubt, in accordance with clauses 4 to 6 of the JIT Indemnity Agreement (relating to the Government Indemnity covering liabilities pertaining to the work of the Joint Inspection Team, varied on 23 June 2021 to cover work on non-ACM cladding), the period of the Indemnity shall cover the extension of the JIT’s operation.

IT IS AGREED as follows

1. DEFINITION

- 1.1 Terms defined in the Second Grant Funding Agreement shall have the same meaning when used in this Variation Request, unless defined otherwise.

2. VARIATION

- 2.1 With effect from **01 April 2022** the Second Grant Funding Agreement shall be amended as set out in this Variation Request:

Variation requestor:	Department for Levelling Up, Housing and Communities
Summary of variation:	<p>To continue the work of the Joint Inspection Team but expand its size and scope from ONE national team to THREE, funded for two further financial years, with more inspections being completed and training sessions and advice being provided for local authority officers.</p> <p>The JIT would comprise a team leader, an administrator/project support officer, a training coordinator, likely three data officers and a communications support officer (to be agreed depending on operational need and budget), and three inspection teams each comprising a fire engineer, a building controller, a principal environmental health officer and two environmental health officers. The JIT’s base will be the LGA’s London office, but members will work alongside council officers around the country in order to be able to advise them appropriately.</p>
Reason for variation:	For the next two years, in the transition period towards operation of the new building safety regulatory regime, the Department needs the JIT to be able to significantly expand its operations to help DLUHC better support the Government’s cladding remediation objectives.

Revised Grant:	£4.6 million over two financial years: £2 million in the 2022/23 financial year and £2.6 million in the 2023/24 financial year. The amount of Grant shall not be increased above this sum in the event of any overspend by the Grant Recipient in its delivery of the Project.
Revised Funding Period:	01 April 2022 to 31 March 2024
Revised Payment Arrangements:	Same as existing payment arrangements, with amended dates (see below this table).
Other Variation:	Amendments to sections of the Second Grant Funding Agreement as follows below this table.

CHANGE TO CLAUSE 4.3 OF THE SECOND GRANT FUNDING AGREEMENT

The Secretary of State and Grant Recipient agree that the first sentence of clause 4.3 shall be amended to read “The amount of Grant is £4.6 million over two financial years: £2 million in the 2022/23 financial year and £2.6 million in the 2023/24 financial year.”

CHANGES TO THE SCHEDULE OF THE SECOND GRANT FUNDING AGREEMENT

The Secretary of State and Grant Recipient agree that the definition of Funding Period in the fourth row of the table in the Schedule be deleted and replaced with “The period commencing 1 April 2022 and ending 31 March 2024.”

The Secretary of State and Grant Recipient agree that the fifth row in the table in the Schedule be amended so that the Amount of Grant stated in the right-hand column shall be deleted and replaced with “£4,600,000”.

The Secretary of State and Grant Recipient agree that the sixth row in the table in the Schedule (Payment arrangements) be amended so that the dates in the right-hand column shall be deleted and replaced with: 29 July 2022, 28 October 2022, 27 January 2023, 28 April 2023, 28 July 2023, 27 October 2023, 26 January 2024, 26 April 2024.

The Secretary of State and Grant Recipient agree that the seventh row in the table in the Schedule (Project Targets) be amended so that the text in the right-hand column shall be deleted and replaced with the following text:

“Objectives:

1. Build greater capabilities within local authorities to take enforcement action against owners of high-rise residential buildings with unsafe cladding of any type, particularly until the proposed new building safety regulatory regime is operational.
2. Support local authorities to target strong and effective enforcement action against owners of the highest risk high-rise residential buildings with unsafe cladding.
3. Encourage and support local authorities in collaboration with fire and rescue services to feel greater ownership of, and responsibility for, building safety in their areas.

Key Performance Indicators 2022/24:

1. HHSRS inspections to be completed alongside local authorities by 31 March 2024:
 - 1.1. Existing JIT team to undertake 18 inspections per year 2022/24.
 - 1.2. Two new inspection teams to be fully operational within two months of starting in post and to undertake an average of 1.5 inspections per month per team thereafter, and 18 inspections per team in 2023/24.
 - 1.3. If a local authority pulls out of a planned inspection with one week or more notice, all possible measures to be taken to fill the inspection slot with an alternative.
 - 1.4. Inspections to be across both ACM and non-ACM private sector high-rise residential buildings.

- 1.5. Proactively offer inspection opportunities to local authorities in which private sector high-rise residential buildings with unsafe cladding have been identified, with a focus on those local authorities that have not yet taken up JIT inspections or training, nor undertaken independent enforcement action; those that have buildings identified as being at high risk; those that have buildings in remediation fund programmes that are not progressing well; and those where specific buildings of concern have been identified by DLUHC.
- 1.6. Request in the MoU that the host local authority pass inspection results to the relevant Fire and Rescue Service and encourage the authority to consult with the Fire and Rescue Service.
- 1.7. All HHSRS written reports to be submitted to local authorities within 25 days, beginning the day after the inspection is completed.
- 1.8. Client satisfaction feedback on the Joint Inspection Team to be ascertained from all local authorities within four weeks of an inspection report being issued by the JIT, including on the extent to which the inspection has prepared the authority to carry out inspections independently in future.
2. A range of training sessions for environmental health officers and their managers to be run throughout the two years:
 - 2.1. At least ten training sessions to be run in 2022/23 and twelve in 2023/24, with a mix of Level 1 and Level 2 in response to demand from local authorities.
 - 2.2. A further Level 2 module to be developed by the end of Q2 2022/23 and another by the end of Q3 2022/23, based on feedback from local authorities.
 - 2.3. Proactively offer training sessions to local authorities in which private sector high-rise residential buildings with unsafe cladding have been identified, with a focus on those local authorities that have not yet taken up JIT training or inspections, nor undertaken independent enforcement action; those that have buildings identified as being at high risk; those that have buildings in remediation fund programmes that are not progressing well; and those where specific buildings of concern have been identified by DLUHC.
 - 2.4. 100% of local authorities discussed and agreed with DLUHC at JIT Implementation and Programme Board meetings, reviewed throughout 2022/24, to have sent officers to Level 1 and/or Level 2 training (as appropriate) by 31 March 2024.
3. Online training materials and advice for local authorities to be further developed and improved from the current provision:
 - 3.1. Written support, including Frequently Asked Questions, example enforcement notices and key phrases to use.
 - 3.2. Audio-visual support, to include videos exploring specific learning points that have arisen through inspection and enforcement practice or feedback from local authorities. One video to be made available by the end of Q2 2022/23, with a further video added every quarter during the remainder of 2022/24."

The Secretary of State and Grant Recipient agree that the eighth row in the table in the Schedule (Progress reporting) be amended so that the text in the right-hand column shall be deleted and replaced with the following text:

"Progress will be reported in the following ways:

1. The JIT attend weekly meetings with the LGA and DLUHC, where the team's activities are discussed in detail.
2. Programme Boards every two months, chaired by one of the LGA's senior management team and attended by DLUHC and the NFCC. Standard agenda includes a review of progress, an Actions Log, and review of the Risk Register.
3. Quarterly reviews produced by the JIT for clearance by a DLUHC Director, on:
 1. Number of buildings where pre-inspection engagement with local authorities and/or intelligence gathering has been undertaken.
 2. Number of on-site inspections conducted.
 3. Number of training sessions run, with information on local authority attendance.
 4. Satisfaction of local authorities, both in terms of inspection and enforcement support on specific buildings and feedback on capability-building JIT training sessions.
 5. Development of website and email/phone support for local authorities.
 6. Successes against the Key Performance Indicators, and any challenges faced.
4. Quarterly invoices submitted by the JIT to DLUHC, allowing for monitoring of spending.
5. The JIT is also monitored by DLUHC's Building Remediation Programme Board to ensure the team continues to meet wider departmental objectives.
6. An evaluation study will be commissioned to assess the JIT's impact and effectiveness."

The Secretary of State and Grant Recipient agree that the ninth row in the table in the Schedule (Statement of Grant Usage) be amended so that the text in the right-hand column shall be deleted and replaced with the following text: "29 September 2023 for financial year 2022-23 and 27 September 2024 for financial year 2023-24".

- 2.2 Save as herein amended all other Terms and Conditions of the Second Grant Funding Agreement shall remain in full force and effect.

**Authorised to sign for and on behalf of
the Secretary of State for Levelling Up,
Housing and Communities**

Signature



Name in Capitals
CAROLE ZELENKA

Date
30 May 2022

Address in full
Fry Building, 2 Marsham Street, London
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**Authorised to sign for and on behalf
of the Local Government
Association**

Signature



Name in Capitals
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Date
30 May 2022

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**Authorised to sign for and on behalf
of the Improvement and Development
Agency for local government**

Signature



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