

# HHSRS

# Policy

<b>Linked strategies</b>	Live Safe
<b>Version</b>	1.0
<b>Date approved by</b>	Board December 2024
<b>Policy level</b>	1
<b>Agreed by Union</b>	N/A
<b>Date effective</b>	December 2024
<b>Date of next review</b>	December 2027
<b>Policy Owner</b>	Head of Property Services and Compliance



## 1 Policy Statement

### 1.1 Greatwell Homes is committed to:

*“Provide homes where people feel safe, neighbourhoods where people want to stay and services that are efficient and reliable so we can deliver more”*

This policy sets out our approach to dealing with identified hazards in our customer’s homes and communal areas under the **Housing Health & Safety Rating System (HHSRS)**, and supports the delivery of the key objective in our Live Safe Strategy:

- Keeping customers safe and feeling safe in their homes.

### 1.2 This policy is supported by the ‘HHSRS Procedure’ which provides operational processes and responsibilities for the management & prevention of hazards in our customers’ homes.

### 1.3 This policy sets out Greatwell Homes responsibilities to comply with the relevant legislation and associated regulatory guidance on HHSRS.

### 1.4 The following external regulations and legislation apply to this policy:

- Housing Act 2004 which introduced the HHRS.
- Defective Premises Act 1972.
- Landlord & Tenant Act 1985 (Section 11).
- Environment Protection Act 1990.
- Decent Homes Standard 2006.
- Consumer Regulations 2024 – Regulator for Social Housing.
- Homes (Fitness for Human Habitation) Act 2018.
- Pre-Action Protocol for Housing Conditions Claims (England), 2021.
- Housing Ombudsman One Year on Spotlight Report on Damp and Mould 2023
- Social Housing (Regulation) Bill.

## 2 Scope

### 2.1 This policy is applicable to customers living in all our properties including all communal areas managed by us where we have a duty to repair (hereby collectively referred to as ‘customers’). Tenures include:

- General Needs
- Independent Living
- Market Rent
- RentPlus
- Rent to Buy
- Shared Owners – where applicable.

- 2.2 It is the responsibility of all Greatwell Homes' employees and customers to understand the obligations placed on the organisation and to customers, as outlined within their tenancy agreement, to maintain a safe environment within the homes we own and manage.
- 2.3 It is the purpose of this policy to reflect Greatwell Home's obligations under the Housing Act 2004, specifically the HHSRS.

### **3 Definitions**

- 3.1 **HHSRS** – The HHSRS is a risk assessment tool which determines whether a property contains any hazards and is safe to live in. It is a system where Local Authorities have the power and duties to act where applicable against any landlord who has failed/ or is failing to mitigate certain hazards in their homes. This is also a requirement for providers to rectify under Decent Homes.
- 3.2 **Hazard** – A potential source of harm or adverse health effect on a persons or person. Under HHSRS there are currently 29 hazards of which the most common are damp and mould, excess cold, falls and fire safety. (Definitions are found in the Government's HHSRS Guidance Document). These hazards fall into 4 categories.

#### **A – Physiological Requirements**

- Damp & Mould Growth
- Excess Cold
- Excess heat
- Asbestos (and man-made fibres -MMF)
- Biocides
- Carbon Monoxide (CO) and fuel combustion products.
- Lead
- Radiation
- Un-combusted fuel gas
- Volatile Organic Compounds

#### **B- Psychological Requirements**

- Crowding & Space
- Entry by Intruders
- Lighting
- Noise

#### **C – Protection Against Infection**

- Domestic Hygiene, pests and refuse.
- Food Safety
- Personal Hygiene, sanitation and drainage

- Water supply for domestic properties

#### **D – Protection Against Accidents**

- Falls associated with baths
- Falling on level surfaces
- Falling on stairs and steps
- Falling between levels
- Electrical Hazards
- Fire
- Flames & Hot Surfaces
- Collision & Entrapment
- Explosions
- Position and operability of amenities
- Structural collapse & failing elements.

- 3.3 **Risk Assessment under HHSRS** – The rating system uses a formula which generates a numerical score drawing on the statistics which show the effects of poor housing on health. The assessment relies on the ‘likelihood’ of harmful occurrence, and the ‘harm outcomes’, i.e. the actual effect on health (spread of harm) from harmful experience.
- 3.4 **Category 1 Hazard** – The Housing Act 2004 requires that all properties are free from Cat 1 Hazards, and enforcement action must be initiated by the Local Authority if action to mitigate is not being taken. If a property has a Cat 1 hazard, until the hazard is mitigated it fails Decent Homes. It is a Housing Provider’s responsibility to rectify any hazards reported.
- 3.5 **Category 2 Hazard** – Action to mitigate should still be taken but the Local Authority has discretionary power to act as and when required. A property does not necessarily fail Decent Homes if a Cat 2 Hazard is present. It is a Housing Provider’s responsibility to rectify any hazards reported.
- 3.6 **Spread of Harm** – There are 4 classes of harm ranked from death to bruising in severity:
- Class I – Extreme
  - Class II – Severe
  - Class III – Serious
  - Class IV – Moderate
- 3.7 **Enforcement Actions** – Local Authorities have a duty under the HHSRS to act under a CAT 1 hazard and discretionary Power under a CAT 2 if a failing is reported to them. These include:

- Substantial powers of entry, including by warrant in certain circumstances with 24 hours' notice.
- It is an offence to prevent access.
- Powers to force landlords to provide documents such as Gas Safety Certificate.
- Can require details of the tenancy agreement.
- Powers to charge for reasonable costs incurred.
- Actions should be proportionate
- Most Local Authorities will normally take informal action first.

#### **Options for Enforcement:**

- Improvement Notice
- Prohibition Order
- Hazard Awareness Notice
- Emergency Remedial Action
- Emergency Prohibition Order
- Demolition Order
- Clearance Area.

## **4 Policy Principles**

4.1 Greatwell Homes is committed to proactively prevent, identify, and mitigate/resolve hazards in our customers' homes. It is the intention of the HHSRS to ensure that landlords be they private or providers of social housing, maintain their properties in a safe and healthy state and free from hazards that may affect our customers' health and safety.

To do this Greatwell Homes is committed to:

- Ensuring that customers are treated in a fair, consistent way and always being shown empathy and respect.
- Complying with all relevant statutory, regulatory and contractual requirements.
- Working closely with customers ensuring that a safe and healthy external and internal environment is provided.
- Communicating effectively in relation to the delivery of the repairs service.

4.2 To **prevent** hazards, Greatwell Homes will:

- Have an understanding of the HHSRS and its potential impact on our customers.
- Suitably train all relevant staff.
- Gather, understand and analyse information on our properties and customers to identify potential high-risk properties.

- Utilise Software to identify and case manage said properties and potential for hazards, looking at the property and customers within them in a holistic way.
- Carry out proactive MOTs for those homes identified as 'high risk'
- Carry out a suitable and sufficient HHSRS assessment on all properties in conjunction with the Stock Condition Programme every 5 years to identify hazards.
- Mitigate/ resolve all identified hazards within agreed timescales, to the customers' satisfaction.
- Provide information on our website, social media and other channels to raise awareness of hazards such as damp and mould. This will include both what Greatwell Homes and customers can do to help reduce the risk of certain hazards.
- Ensure that we build our homes, where the fabric and components do not cause harm/ hazards to our customers.
- Install preventative measures/ equipment such as insulation to Decent Homes standards and ensure our homes are free from all four categories of hazard.
- Ensure adequate checks and improvements are carried out at the void stage to prevent future issues from occurring.

#### 4.3 To **identify** hazards as defined under the HHSRS Greatwell Homes will:

- Ensure our staff have the skills and knowledge related to the HHSRS to look out for/ identify hazards at the earliest opportunity, as well as being able to discuss how to manage/ mitigate the problem.
- Provide simple ways for staff to highlight and report HHSRS related hazards.
- Make it easy for customers to report issues/hazards, without experiencing prejudice/ stigma for the reason of the issue.
- Review & analyse property and customer data to identify homes already experiencing hazards under the HHSRS, such as damp and mould and excessive cold.

#### 4.4 To **resolve/ mitigate** hazards Greatwell Homes will

- Act promptly and appropriately to limit the impact of the hazard on the customer and their home, taking into account the type of hazard, and individual circumstances, including relevant medical information and individual needs.
- Recognise that external factors often beyond the customers' control such as fuel poverty may contribute to a hazard such as damp/ mould or excessive cold, by not being able to adequately heat their homes. Again, where we find this to support the customer without stigma or prejudice to provide relevant advice, assistance and signposting.
- Gather, interrogate and review information provided by colleagues and customers to identify the best remedy, with the assistance of relevant software to identify and case manage such remedy.

- Follow up on all hazard remedies/ courses of action within 4 weeks to ensure that said remedy is working/ has worked unless otherwise specified.
  - For more serious issues employ suitably qualified consultants/surveyors to identify root causes and remedial actions, such as structural collapse or Radon.
  - Carry out remedial actions to resolve the root cause issues, considering individual circumstances, and if needed moving customers into alternative accommodation whilst the works are undertaken. Actions will be carried out within our current timeframes of 24 hours for an emergency and 28 days for a routine repair. Where a surveyor or further investigation is required, we will attend within the timeframes as laid out within Awaab's Law.
- 4.5 It is the customers' responsibility to immediately report and evidence of hazards either external or internal at their homes, and furthermore, customers' must allow access for any subsequent visits and works to be carried out.

## **5 Implications for customers and staff (data protection info sharing and confidentiality)**

- 5.1 The Equality Act of 2010 makes it unlawful to discriminate, harass or victimise based on any protected characteristics (age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage, civil partnership, pregnancy and maternity). Greatwell Homes supports its principles and is committed to the values of equality of opportunity and non-discrimination.
- 5.2 Implications for equality have been assessed through an Equality Impact Assessment (EIA) undertaken as part of Privacy Impact Assessment (PIA) carried out for Greatwell Homes' overarching Repairs & Maintenance Policy. As part of this a full EIA was also carried out, (available on request), highlighting that customers with medical conditions are more likely for example to be affected adversely by damp and mould. Therefore, adjustments have been taken into account within this policy to ensure that such circumstances are taken into account. Furthermore, we have a Reasonable Adjustments Policy which sets out how we will respond to individual needs and requests in delivering our services.
- 5.3 In the report into Awaab Ishak, it was recognised that prejudice did form a part of the poor service delivery experienced by his family resulting in his tragic death. Greatwell Homes' is committed to our customers being able to report any hazard without prejudice or stigma associated to the causes of said hazard.
- 5.4 The Privacy Impact Assessment (PIA) is available on request. None of the content of this policy will have an impact on our customers' privacy. Customer data is being

processed in line with legal requirements with repairs and maintenance carried out in line with our legal obligations.

- 5.5 Where appropriate and especially if changes to the existing service are proposed, we will consult with customers, through our involvement framework, enabling reviews of and improvement to our service with the customer voice being central to any decisions made.

## 6 Performance Management

- 6.1 Greatwell Homes will ensure that all hazards identified under the HHSRS by colleagues, contractors or customers will be logged and tracked centrally. The use of software will enable us to case manage all identified hazards to satisfactory completion. This log will be owned by the Property Services Team, but any colleague may log an identified hazard.
- 6.2 Greatwell Homes will ensure that all staff are trained on how to log such hazards and will report transparently to Board and the Executive Management Team through a range of OPI's.

## 7 Responsibility and Decision Making

- 7.1 The table below illustrates the structure for responsibility and decision-making in relation to this policy.

Person Responsible	Scope
Head of Property Services and Compliance	<ul style="list-style-type: none"> <li>Overall responsibility for ensuring that all activities are undertaken, and all performance measurements are met.</li> </ul>
Repairs & Maintenance Manager/ Customer Service Manager	<ul style="list-style-type: none"> <li>Responsible for the implementation, day-to-day application and adherence to this Policy and Procedure.</li> </ul>
Head of Property Investment, Sales and Lettings	<ul style="list-style-type: none"> <li>Overall responsibility for ensuring compliance and relevant action taken to ensure we are meeting Decent Homes Standards.</li> </ul>
Property Investment Manager	<ul style="list-style-type: none"> <li>To ensure all Stock Condition Surveys on the 5-year programme include a suitable &amp; sufficient HHSRS assessment.</li> <li>To ensure actions resulting from said assessments are logged correctly and actioned by the relevant teams.</li> </ul>



Head of Housing & Neighbourhoods	<ul style="list-style-type: none"> <li>To ensure that their team action any relevant hazards identified including (but not exhaustive) noise and overcrowding.</li> </ul>
Health & Safety and Compliance Manager	<ul style="list-style-type: none"> <li>To ensure that their team action any relevant hazards identified including (but not exhaustive) CO, Fire &amp; Radon.</li> </ul>
All frontline staff	<ul style="list-style-type: none"> <li>Identification and reporting of hazards identified during any visit to our homes.</li> </ul>
Greatwell Works, Places & Heating Operatives	<ul style="list-style-type: none"> <li>Identification of hazards and completion of remedial actions as and when required.</li> </ul>

## 8 Review

- 8.1 This Policy will be reviewed every three years or in line with changes in legislation, whichever is the sooner, updates or recommendations for changes will be presented to Board.
- 8.2 The Head of Property Services and Compliance is responsible for the review of this policy.

Associated Policies	Associated Procedures
Repairs & Maintenance Policy	HHSRS Procedure
Damp & Mould Policy	Damp and Mould Procedure
Asset Investment Policy	Asset Investment Procedure
Reasonable Adjustments Policy	
Compensation Policy	Disrepair Process
Health & Safety Policy	All associated H&S procedures.