

HOUSING HEALTH AND SAFETY RATING SYSTEM (HHSRS)

The Councils Environmental Health Department enforces and advises on legislation introduced to ensure that housing is safe and suitable for occupation.

Part 1 of the Housing Act 2004 contains provisions to replace the housing fitness regime which was set out in the repealed Housing Act 1985.

This is an important reform. The old fitness standard was based on criteria first introduced 80 years ago and there has been wide support for modernisation. The test of fitness is to be replaced with the new evidence based risk assessment process using the HHSRS.

This is a new approach to the assessment of risk to the health and safety in residential properties and in future all enforcement by the Council will be pursued using this method of assessment. Basically it is the “effect of the defect” which is being assessed , not just the defect itself.

ASSESSMENT PROCESS

The purpose of the HHSRS is not to set a standard but to generate objective information in order to determine and support any actions that may be necessary. The technical guidance is contained in literature produced by the government and this can be viewed on the website of the Deputy Prime Minister (www.odpm.gov.uk) . The process involves the assessment of 29 categories of housing associated hazards, including factors not covered in the old standard of fitness. It provides a rating for each hazard.

A hazard rating is expressed through an assessed numerical score which falls within one of 10 rating bands ranging from A-J.

Scores in bands A-C are called category 1 hazards and those within bands D-J are category 2 hazards.

The assessment itself is based on the risk to the *potential occupant who is most vulnerable to the hazard identified*. For example, stairs constitute a greater risk to the elderly, so for the purposes of assessing hazards relating to stairs they are considered the most vulnerable group. The thinking behind this is to ensure that if a house is safe for the most vulnerable occupant it is safe for all.

ENFORCEMENT PROCESS

Any action considered by the Council will follow the adopted enforcement policy but the general guidance as to the level of enforcement is laid down in the Housing Act 2004. Consideration must be given to three issues

- The hazard rating assessed under the HHSRS
- Whether the Council has a duty or power to take action,, and
- The Councils judgement as to the most appropriate course of action to deal with the hazard.

The courses of action available to authorities where they have a duty or power to act are;

- Serve an improvement notice requiring remedial works
- Make a prohibition order, which closes the whole or part of the building or restricts the number of permitted occupants
- Take emergency action
- Serve a hazard awareness notice
- Make a demolition order
- Declare a clearance area.

Although the assessment process is guided by the most vulnerable occupant when deciding the most appropriate course of action the Council will consider the actual occupier. The Act also empowers Councils to undertake works in default to prosecute where there is lack of compliance with a formal notice.

If you have any questions regarding the above please contact the Public Health and Housing team by phone or by e-mail phandh@braintree.gov.uk
Further information on this and other housing matters can be found on the Chartered Institute of Environmental Health Officers website www.cieh.co.uk