

A Quick guide to the Housing Act 2004 Housing Health and Safety Rating System.

The Housing Act 2004 came into force on 6th April 2006. All inspections of properties will be carried out using the Housing Health and Safety Rating System. This is the evaluation of the potential risks to health and safety from any defects in dwellings. The Rating System lists 29 hazards. These are arranged in four main groups reflecting basic health requirements. (See below)

Inspections are designed to identify defects relating to any of these hazards and to the seriousness of each hazard. A calculation is carried out for each hazard to determine whether it is a Category 1 or 2 Hazard. **The Council must take action regarding Category 1 Hazards, but action may still be taken to deal with Category 2 Hazards.** The Authority has the power to carry out work in default and to prosecute for lack of compliance with notices.

The courses of action available to authorities as regards either category of hazard are:

1. Serve an **Improvement Notice** requiring remedial works.
2. Make a **Prohibition Order** to close the whole or part of a dwelling or to restrict the number of permitted occupants.
3. Take emergency action.
4. Serve a **Hazard Awareness Notice**.
5. Make a **Demolition Order**.
6. Declare a **Clearance Area**.

1 and 2 above can be suspended in certain cases.

Please note: All properties requiring a Licence under Part II and Part III of the Housing Act 2004 will be inspected using the Housing Health and Safety Rating System within the period of the Licence.

Further information can be found at www.communities.gov.uk.

Hazards

1. Physiological Hygrothermal Conditions

1.Damp and Mould Growth

Threats to health from increased prevalence of house dust mites and mould or fungal growths resulting from dampness and/or high humidity.

Dwellings should be warm, dry and well ventilated, and free from rising or penetrating dampness or persistent condensation.

2. Excess Cold

Threats to health from sub-optimal indoor temperature.

Structural thermal insulation should be provided to minimise heat loss. Heating should be provided such that all rooms can be adequately heated. This will generally mean that an adequate central heating system is required. Ventilation should be provided but draughts avoided.

3. Excess Heat

Threats to health from excessively high indoor temperature.

Structural thermal insulation should reduce excessive build up of heat due to solar gain. Heating systems should be appropriate to the type of property and should be able to be properly controlled. Adequate ventilation should be provided.

Pollutants(non-microbial)

4. Asbestos (and MMF)

Threats to health due to the presence of, and exposure to, asbestos fibres and manufactured mineral fibres (eg. rockwool and glass fibre).

Asbestos has been incorporated into a range of building materials in the past. If it is in good condition and is not likely to be disturbed it is usually safer to leave in situ with appropriate labelling. Any work to, or removal of, asbestos must be carried out by a properly licenced contractor.

Unnecessary exposure to MMF's should be avoided.

5. Biocides

Threats to health from chemicals used to treat timber and mould growth.

Any use of chemicals must be controlled and the manufacturer's instructions followed. It may be necessary to re-house tenants while such work is carried out.

6. Carbon Monoxide and Fuel Combustion Products

This covers hazards resulting from the presence of excess levels of these gasses in the atmosphere within a dwelling.

Gas, oil and solid fuel burning appliances must be correctly installed and maintained. Rooms containing these appliances must be properly ventilated.

7. Lead

Threats to health from the ingestion of lead.

Some old paint may contain lead. If it is in good condition, it may be safer to overcoat with modern paint. Any removal of lead based paint must be carried out safely to remove all paint flakes or dust.

Old lead water supply pipes would only be required to be replaced if other building work is carried out.

8. Radiation

Threats to health from exposure to radon gas.

This is only of importance in areas of the country with high levels of ionising radiation. The north east of England does not fall in this category.

9. Uncombusted fuel gas

This covers the threat of asphyxiation resulting from the escape of fuel gas into the atmosphere within a dwelling.

Gas supply, installation and appliances should be maintained so as to ensure they are safe and not likely to become damaged.

Appliances should be correctly sited so that the risk of gas flames being blown out is reduced.

10. Volatile Organic Compounds

These are a diverse group of organic compounds including formaldehyde which are gases at room temperature. They are found in a wide variety of materials in the home, such as particle board, chipboard, plywood, paints, glues and solvents, and also from combustion of fuel.

If materials likely to emit VOC's are used during construction, alteration or maintenance, thorough ventilation is required.

2. Psychological Requirements

Space, Security, Light and Noise

11. Crowding and Space

This covers hazards associated with lack of space within the dwelling for living, sleeping and normal family/ household life.

Within the dwelling there should be sufficient space, with suitable layout, for the separation of different household activities.

As well as sufficient sleeping space there should be a living area of sufficient size for the household, and where possible outdoor space. This should be visible from within the dwelling and safely separated from public and neighbouring areas.

Baths/ showers and toilets should be in lockable rooms.

12. Entry by Intruders

This covers difficulties in keeping a dwelling secure against unauthorised entry and the maintenance of defensible space.

The dwelling should be capable of being secured against intruders which will make the occupier feel safer.

The use of window locks or deadlocks, burglar alarms, security lights and window grilles reduce the risk of an occurrence. Spy holes and chains on entrance doors are also helpful.

There should be a balance between security features and any associated increased risks from other hazards. For example, security measures can hamper or obstruct means of escape in case of fire, or may result in windows not being readily openable to provide ventilation.

13. Lighting

This covers the threats to physical and mental health associated with inadequate natural and/or artificial light. It includes the psychological effect associated with the view from the dwelling through glazing.

There should be sufficient natural light during daylight hours to living rooms and kitchens to enable normal domestic tasks to be carried out.

Adequate artificial lighting should be provided throughout the dwelling.

Windows should ideally be wide enough to provide for a reasonable view of the surroundings with sills in living areas low enough to allow a view to a seated person.

14. Noise

This covers threats to physical and mental health resulting from exposure to noise inside the dwelling or within its curtilage.

The dwelling should be able to protect the occupants from noise penetrating from outside the dwelling or from other dwellings, and between rooms in the dwelling.

3. Protection Against Infection Hygiene, Sanitation and Water Supply

15. Domestic Hygiene, Pests and Refuse

This covers hazards which can result from poor design, layout or construction such that the dwelling cannot readily be kept clean. It also includes access into, and harbourage within the dwelling for pests and the inadequate and unhygienic provision for storing and disposal of household waste.

The design, construction and maintenance of the dwelling should enable it to be kept clean and prevent the build-up of dirt and dust.

The exterior of the dwelling should be free of cracks and unprotected holes, and the design should reduce means of access by pests.

There should be suitable provision for the storage of refuse awaiting collection.

16. Food Safety

This covers the threats of infection resulting from inadequacies in provision and facilities for the storage, preparation and cooking of food.

The design, layout and state of repair of the kitchen and of the facilities provided should make it relatively easy to maintain clean and hygienic conditions and to promote safe food practices.

17. Personal Hygiene, Sanitation and Drainage

This covers the threats of infection and the threat to mental health associated with personal hygiene. It includes personal washing and clothes washing facilities, sanitation and drainage.

Dwellings should have adequate sanitary accommodation and bath/ shower facilities. The facilities and the rooms containing them should be in good repair, properly heated, lighted and ventilated.

Sinks may be used for washing clothing as well as food preparation and should be capable of being cleaned.

All facilities should have adequate hot and cold water supplies as appropriate and be connected to the waste system, which should be kept in good repair.

18. Water Supply for Domestic Purposes

This covers the quality and adequacy of the supply of water within the dwelling for drinking and for domestic purposes.

Ensure a constant supply of mains water at adequate pressure for the dwelling. In multi-occupied buildings there is a greater risk from Legionella and it may be appropriate to get further advice and carry out checks on a regular basis.

4. Protection Against Accidents

Falls

19. Falls associated with Baths etc

This includes any fall associated with a bath, shower or similar facility.

As well as the condition of the facilities and appliances, the layout and functional space is important. The space should be sufficient for more than one person which will allow for a parent to help a child or a carer to help an elderly person using the bathroom.

20. Falls on the Level

This covers falls on any level surface such as floors, yards and paths. It also includes falls associated with trip steps, thresholds or ramps where the change in level is less than 300mm.

Floor surfaces should be in good condition and repair to reduce the risk of tripping and slipping.

External paths etc should be well drained to prevent water ponding, and all areas should have adequate lighting.

Each room and part of a dwelling should have sufficient space and be laid out so as to allow for manoeuvring by occupants without slipping.

21. Falls associated with Stairs and Steps

This covers any fall associated with internal and external stairs, steps and ramps where the change in level is greater than 300mm (including fire escapes). It includes falls over guarding (balustrades) associated with the stairs, steps or ramps but does not include falls over guarding to balconies or landings or where the change in level is less than 300mm.

Stairs, steps and ramps and their associated guarding must be kept in good order.

Adequate lighting is important, especially at the top and bottom of staircases.

Radiators, coat hooks or other similar items at the base of staircases and likely to cause injury in the event of a fall should be avoided.

22. Falls between Levels

This covers falls from one level to another, inside or outside a dwelling where the difference in level is more than 300mm. It does not include falls from furniture or ladders.

All landings and balconies should be in good repair and have guarding of appropriate height.

Windows above ground floor level should be fitted with catches or limiting devices to restrict opening. These should be able to be overcome in case of fire.

5. Electric Shocks, Fires, Burns and Scalds

23. Electrical Hazards

This covers hazards from shock and burns resulting from exposure to electricity. It does not include risks from fires caused by deficiencies to electrical installations.

Electrical installations and fixed appliances should be inspected to identify obvious defects.

A Residual Current Device (RCD) can provide additional safety.

Additional precautions are necessary in bathrooms, kitchens or other areas where occupants could be in contact with water and electricity.

24. Fire

This covers threats from exposure to uncontrolled fire and associated smoke. It includes injury from clothing catching alight in the case of an uncontrolled fire but not injury from clothing catching alight due to proximity to a controlled flame.

The design, construction and condition of a dwelling should limit the chances of carelessness starting a fire, limit the spread of fire and provide safe and ready means of escape.

It is always advisable to discuss the requirements for fire precautions with the local authority and/or the Fire Brigade.

25. Hot Surfaces and Materials

This covers threats of burn injuries caused by contact with a hot flame or fire and contact with hot objects, and scald injuries caused by contact with hot liquids and vapours. It includes burns caused by clothing catching alight from a controlled flame.

Open flames and surfaces likely to cause injury should be guarded.

Mixer valves for taps could be considered if stored hot water is at very high temperature.

Kitchens should be of adequate size and layout so that cookers and work surfaces are away from thoroughfares, and cookers should be properly installed, stable and securely placed.

6. Collisions, Cuts and Strains

26. Collision and Entrapment

This includes the risk of physical injury from trapping part of the body or from striking (colliding with) objects.

Windows and doors should be kept in good working order and should be capable of being operated without danger.

Gaps in banisters etc over 100mm could allow a child to become trapped and these should be guarded.

27. Explosions

This covers the threat from the blast of an explosion, from debris generated by a blast and from the partial or total collapse of a building as the result of an explosion.

All potential sources of explosion within the dwelling or its curtilage should be correctly installed and maintained on a regular basis.

28. Ergonomics

This covers the threat of physical strain associated with functional space and other features.

The layout of the dwelling and in particular the kitchen and bathroom should be such as to make use convenient and easy, as well as safe, and should facilitate cleaning.

29. Structural Collapse and Falling Elements

This covers the threat of the whole dwelling collapsing, or of an element or part of the fabric being displaced or falling. Structural failure may occur internally or externally threatening occupants or members of the public.

Visual inspection of the dwelling will provide indications of deficiencies likely to contribute to this hazard. However, it may be necessary to commission investigation by a structural engineer.