

two key tests are applied – what is the likelihood of a dangerous occurrence as a result of this hazard and if there is such an occurrence, what would be the likely outcome?

The action that needs to be taken to deal with a hazard will be influenced by how the property is occupied. Once a property has been made safe for the most vulnerable, it should be safe for all.

### **How will the system be used in enforcement?**

The hazard score does not dictate the action to be taken, but councils have a duty under the Act to take action of some kind if they discover a category 1 hazard in a property, and a power to take action to deal with a category 2 hazard.

Our first step would be to approach the landlord informally. However, if the landlord does not respond, the council can move into formal action by serving an improvement notice on the owner requiring that the hazard(s) be removed or minimised within a set time. In more serious cases, we may serve a prohibition order prohibiting the use of all or part of a dwelling. If there is an 'imminent risk of serious harm' to the occupants, we can serve an emergency notice to remove the hazard.

This notice allows the council to enter the premises and take urgent action to deal with the hazard. Emergency prohibition orders can also be used to gain access to a building if the situation is serious enough to warrant it. The council can, with or without the agreement of the owner, carry out the works required in a notice and recover costs.

If you wish to have an independent HHSRS survey carried out most private surveyors will be able to provide such a service. To find a surveyor, you can consult the following:

1. Chartered Institute of Environmental Health **[www.cieh.org](http://www.cieh.org)**

(Search the consultants directory under 'housing')

2. Royal Institution of Chartered Surveyors **[www.rics.org](http://www.rics.org)**

(Search under 'find a surveyor in your area')

### **Where can I get more information?**

The key sources of reference can be found on the website of Communities and Local Government (CLG), which is the government department responsible for HHSRS at **[www.communities.gov.uk](http://www.communities.gov.uk)**

search under Housing/Housing Health and Safety Rating System.

Mid Devon District Council

## **The Housing Health & Safety Rating System (HHSRS)**



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**This leaflet is available in large print and other formats.**

## What is the Housing Health and Safety Rating System?

The Housing Act (2004) has introduced a new way in which local authorities assess housing conditions. It uses a risk assessment approach called the Housing Health and Safety Rating System (HHSRS); the aim is to provide a system (not a standard) to enable risks from hazards to health and safety in dwellings to be removed or minimised.

### Why the new system?

It replaces the fitness standard which dates back to at least 1875. This pass/fail standard gave no indication as to how unfit (or how fit) a property was and did not deal with many of the hazards that affected health and safety. The HHSRS on the other hand addresses all the key issues that affect health and safety.



## How is the system applied?

Local authorities have a duty to keep the housing conditions in their area under review. They can inspect a property if they have reason to think that a health or safety hazard exists. As well as providing the legal basis for HHSRS, the 2004 Act contains a package of enforcement measures for local councils to use. These powers can be used to deal with poor housing in the private sector.

Councils have a duty to deal with hazards which are assessed as 'Category 1' under HHSRS, and discretionary powers to deal with 'Category 2' hazards—these terms are explained below.

### What are the principles of the system?

The HHSRS provides a method of grading the severity of threats to health and safety in any dwelling. The key principle is that a dwelling should provide a safe and healthy environment for the occupants and, by implication, for any visitors.

The inspection process is a risk-based assessment and considers the effect of any 'hazards' in the property. Hazards are rated according to how serious they are and the effect they are having, or could have, on the occupants, that is, 'the effect of the defect'.

## What are the hazards?

The system can deal with 29 hazards summarised as follows:

- Dampness, excess cold/heat
- Pollutants e.g. asbestos, carbon monoxide, lead
- Lack of space, security or lighting, or excessive noise
- Poor hygiene, sanitation, water supply
- Accidents – falls, electric shocks, fires, burns, scalds
- Collisions, explosions, structural collapse

Each hazard is assessed separately, and if judged to be 'serious', with a 'high score', is deemed to be a category 1 hazard. All other hazards are called, unsurprisingly, category 2 hazards.

### How are inspections carried out?

Inspections are a physical assessment of the whole property during which deficiencies (faults) are noted and recorded. Once the inspection has been completed, the inspector judges:

- a) whether there are any hazards
- b) the likelihood of an occurrence and the range of possible outcomes for those hazards

### How are assessments made?

The assessment process is not just a question of spotting defects, but is all about risk assessment, outcomes and effects. When an inspector finds a hazard,