



Landlord & Agent Forum

Part 2

Housing Health and Safety Rating System and Property Licensing

Housing Health and Safety Rating System

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Housing Health and Safety Rating System

- The Housing Health & Safety Rating System (HHSRS) was introduced under part 1 of the Housing Act 2004 & came into force on 6th April 2006.
- The HHSRS, was introduced as a replacement for the Housing Fitness Standard. This is the legislation that sets acceptable housing conditions applicable to the private rented and owner occupied sectors.
- Oxford City Council is responsible for enforcing this system. We have a statutory responsibility to respond to complaints about poor housing.
- The Selective Licensing Scheme has been brought in due to a high number of hazards under this system and improve poor housing.

Department for
Communities and
Local Government

Housing Health
and Safety Rating
System

Guidance for
Landlords and
Property Related
Professionals

housing

Housing – key principle 1

- A dwelling, including the structure and associated outbuildings and garden, yard and/or other amenity space, should provide a safe and healthy environment for the occupants and any visitors.
- To satisfy this principle, a dwelling should be designed, constructed and maintained with non-hazardous materials & should be free from both unnecessary and avoidable hazards.
- The HHSRS identifies “deficiencies” which may lead to a negative effect on health and safety



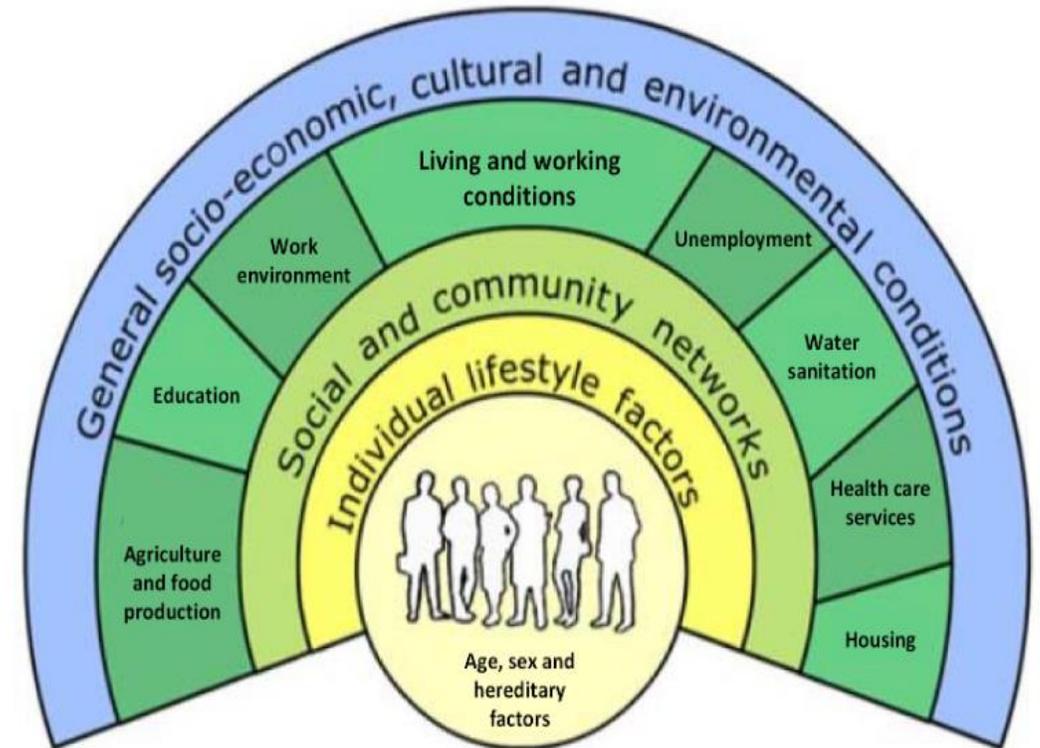
Health – key principle 2

- Health is a state of complete **physical, mental and social well-being** and not merely the absence of disease or infirmity.

(Preamble to the Constitution of WHO as adopted by the International Health Conference, New York, 19 June - 22 July 1946; signed on 22 July 1946 by the representatives of 61 States (Official Records of WHO, no. 2, p. 100) and entered into force on 7 April 1948)

- The definition has not been amended since 1948.
- Housing is a wider determinant of health
- Poor housing will lead to ill-health

The wider determinants of health



Rating System – key principle 3

- It is a risk assessment system – it is not a checklist of what a landlord must / must not provide or repair
- The system has 29 hazards which may be present in a property
- Founded on the logical evaluation of both the likelihood of an occurrence that could cause harm & the probable severity of the outcomes of such an occurrence.



How the HHSRS works

1. Identify deficiencies in property – something which may lead to a harmful occurrence on health
2. Identify the hazard(s) to which the deficiency contributes – one deficiency may cause more than one hazard
3. Determine the likelihood of the hazard occurring in the next 12 months – is it more than the national average?
4. Determine the outcome on health – the harm outcome
5. The likelihood and harm outcome give a score to show the seriousness of the problem (hazard) = Category One or Two



Step 1: Identify Deficiencies

A deficiency is something that can cause an effect on health

- Broken
- Not working / operating as designed
- Missing
- Not as per building regulations –
 - Note – there can still be hazards even if compliant with building regulations (e.g. paddle stairs) and non-compliance does not always mean there is a deficiency
- Likely to cause an accident



Step 2: Identify the Hazard(s)

Physiological requirements	Psychological requirements	Protection against infection	Protection against accidents
<ul style="list-style-type: none"> • Damp and mould growth • Excess cold • Excess heat • Asbestos and manufactured mineral fibre • Biocides • Carbon monoxide and fuel combustion products • Lead • Radiation • Uncombusted fuel gas • Volatile organic compounds 	<ul style="list-style-type: none"> • Crowding and space • Entry by intruders • Lighting • Noise 	<ul style="list-style-type: none"> • Domestic hygiene, pests and refuse • Food safety • Personal hygiene, sanitation and drainage • Water supply for domestic purpose 	<ul style="list-style-type: none"> • Falls associated with baths • Falling on level surfaces • Falling associated with stairs and steps • Falling between levels • Electrical hazards • Fire • Flames and hot surfaces • Collision and entrapment • Explosions • Position and operability of amenities • Structural collapse and failing elements

Common Hazards

- Damp & mould
- Excess cold
- Crowding & space
- Entry by intruders
- Domestic hygiene, pests and refuse
- Food safety
- Personal hygiene, sanitation & drainage
- Falling on stairs
- Falling between levels
- Electrical hazards
- Fire



Deficiency and hazard spotting

In your groups, look at given photos and decide:

1. What are the deficiencies?
2. What are the hazards?

We will discuss these so some people will need to be prepared to either speak or give their suggestions in the chat



Deficiency and hazard spotting (1)

1



3



5



2



4



5



Deficiency and hazard spotting (2)

6



7



8



Step 3: Decide the likelihood of an ill-health effect occurring

- Each hazard has a “national average” for the chance (likelihood) of an ill-health effect occurring
- Do the deficiencies make it more likely that an ill-health effect will occur?
- If yes, then how much more likely?
- Increase the likelihood compared to national worked examples and own judgement & experience

LIKELIHOOD

5600	3200	1800	1000	560	320	180	100	56	32	18	10	6	3	2	1
<4200	2400	1300	750	420	240	130	75	42	24	13	7.5	4	2.5	1.5	>

Step 4: Decide the harm outcome

- Each hazard has a harm outcome profile
- If 100 people had an ill-health effect in the next 12 months, then what would the outcome be?
- Shows the % of the outcome in 4 groups
- For most hazards, we do not change the harm outcome
 - Falls hazards are the exception e.g. height of fall makes a difference to outcome

Class I – Extreme
Death, permanent paralysis below the neck, malignant lung cancer, regular severe pneumonia, permanent loss of consciousness, and 80% burn injuries.
Class II – Severe
Chronic confusion, mild strokes, regular severe fever, loss of a hand or foot, serious fractures, very serious burns and loss of consciousness for days.
Class III - Serious
Chronic severe stress, mild heart attack, regular and persistent dermatitis, malignant but treatable skin cancer, loss of a finger, fractured skull, severe concussion, serious puncture wounds to head or body, severe burns to hands, serious strain or sprain injuries and regular and severe migraine.
Class IV – Moderate
Occasional severe discomfort, chronic or regular skin irritation, benign tumours, occasional mild pneumonia, a broken finger, sprained hip, slight concussion, moderate cuts to face or body, severe bruising to body, 10% burns and regular serious coughs or colds.

Step 5: Score & Category

- The likelihood and harm outcomes gives a score
- The score falls into a Band
- Bands A to C = Category One
- Bands D to J = Category Two
- The Council must take action on Category One hazards and has the power (choice) to take action on Category Two hazards

HHSRS Bands –

Band	Hazard Score Range
A	5,000 or more
B	2,000 to 4,999
C	1,000 to 1,999
D	500 to 999
E	200 to 499
F	100 to 199
G	50 to 99
H	20 to 49
I	10 to 19
J	9 or less

Enforcement Options

Category One

- Hazard Awareness Notice
- Improvement Notice
- Prohibition Order
- Emergency Prohibition Order
- Emergency Remedial Action
- Demolition Order (available under Part 9 of the 1985 Act as amended)
- Clearance Area (available under Part 9 of the 1985 Act as amended)

Category Two

- Hazard Awareness Notice
- Improvement Notice
- Prohibition Order

Enforcement Options

Dependent upon:

- Duty to take action (Category 1 hazard).
- Risk to the health & safety of the occupants.
- Vulnerable occupants.
- Un-cooperative or reluctant landlord.
- History of non-compliance by landlord.
- Remedial works required i.e. Listed Building.
- Tenant's wishes.
- Most of the time, we ask landlords to undertake works and give them time to comply. If they do not, we will serve an Improvement Notice and charge

What do we do when a tenant asks for help with housing conditions?

- When tenants report problems in their rented homes we will make further enquiries and then may inspect. We:
 1. Check the property is in our area, if not signpost to relevant LA. If OCC owned property then refer on.
 2. Ask if they have contacted their landlord or not.
 - If they have not contacted the landlord, we ask them to do this first – most tenancy agreements will contain a clause that a tenant must report problems and if they don't report a problem then how does a landlord know to fix something?
 3. If they have contacted the landlord then evidence of the report and landlord response
 4. Ask for contact details for landlord and agent
 5. Inform the tenant we can inspect however we are legally obliged to give 24hrs notice to the landlord – we cannot visit to give advice
 6. Arrange inspection with tenant and inform the landlord of the inspection

This is all very complicated – is there an easier way to understand it?

Think about this – if it went wrong in your own home then would you want to fix it right away or within the next few weeks? Can you see the potential for someone to be harmed over the next year?

If the answer is yes, then you should be fixing it for your own tenants

- Uses our inspection template

Useful links:

<https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-guidance-for-landlords-and-property-related-professionals>

https://england.shelter.org.uk/professional_resources/legal/housing_conditions/local_authority_duties_to_deal_with_poor_conditions/hhsrs_definition_of_hazards

Inspection checklist

www.oxford.gov.uk/selectivelicensing

Oxford City Council
Building a world class city for everyone

Keyword search

TELL ME MORE

Telephone Issues
We are currently experiencing intermittent problems with our main telephone number 01865 248811. We're working to resolve this and apologise if you are having problems. [Other ways to contact us](#)

Home / Housing / Private Renting / Selective Licensing

Selective Licensing

Selective Licensing started on 1 September 2022. [Apply for a Selective licence.](#)

- [Apply for a Selective licence](#)
- [Fees and charges](#)
- [Designation and Public Notice of Selective Licensing](#)
- [Exemptions from Selective Licensing](#)
- [Selective licensing FAQs](#)
- [Block licence](#)
- [Who should apply for and hold the licence](#)
- [Selective Licensing background](#)
- [Application process](#)
- [Consequences for failing to licence](#)
- [Accreditation requirements](#)
- [Sign up to Private Rented News](#)
- [Temporary exemption notice](#)
- [Register of Selective Licences](#)
- [Landlord and agent resources](#)

3 Oxford City Council Selective Licensing information RSS feed

Landlord and Agent Resources

The following resources are available for landlords:

- Oxford City Council Landlord Newsletters
- Oxford City Council Amenity and Facility Guide
- Oxford City Council Landlord Accreditation Scheme
- Oxford City Council Landlords HMO Inspection Checklist
- Oxford City Council Rent Guarantee Service
- Oxford City Council Guide for private rented tenants
- HSE information on Gas Safety Regulations
- Oxford City Council information on Electrical Safety Standards
- Oxford City Council information on Private rented houses smoke alarm regulations
- Oxford City Council information on HMO fire safety information
- Oxford City Council information on Energy Efficiency Information
- HSE information on Legionella risk assessment
- Oxford City Council information on Planning permission for HMOs
- Oxford City Council information on Right to Rent
- Oxford City Council information on Tenant Fees Act
- Government information on tenancy agreements
- Oxford City Council Agent Forum - Summer 2022 presentation
- Oxford City Council Landlords Information Exchange - August 2022 presentations
- Oxford City Council Landlords Information Exchange Sustainable Warmth presentation August 2022
- Oxford City Council Selective Licensing Application Guide (including video guide)
- Oxford City Council Landlords Information Exchange - November 2022 presentation
- Oxford City Council Landlords Information Exchange - November 2022 presentation recording
- Oxford City Council Landlords Selective Licensing inspection checklist



Subscribe to our newsletter to receive regular updates on news and events.

This form has been created to help landlords inspect their property (non HMO). This list is not exhaustive and more detailed guidance will be produced. Further remedial works may be requested by the council.

Name of person undertaking inspection	
Role (e.g. agent / owner)	
Date of inspection	

Documentation	Answer
Current Gas Safety certificate- Annual Check	
Current electrical condition report (dated within 5 years) classed as satisfactory (no C1, C2 or FI codes)	
Current Energy Performance Certificate (EPC) with rating of E or above	

Safety Alarms	Answer
Working smoke detector on each floor of the property?	
Smoke alarm in any inner rooms off the kitchen/lounge	
Working carbon monoxide detector in any room used as living accommodation which contains a fixed combustion appliance (age log burner/gas fire/boiler)	
Are RCD/Electric and Gas meters/water shut off valve accessible to tenants?	
Are the flats utilities separate (if applicable)?	

Hallways/Landing/Stairs	Answer
Thumb turn lock (and security glazing) to front door?	
Hand rails to all staircase(s)?	
Does guarding to stairs light wells extend up to	





Questions?

HMO & Selective Licensing Update

Gail Siddall

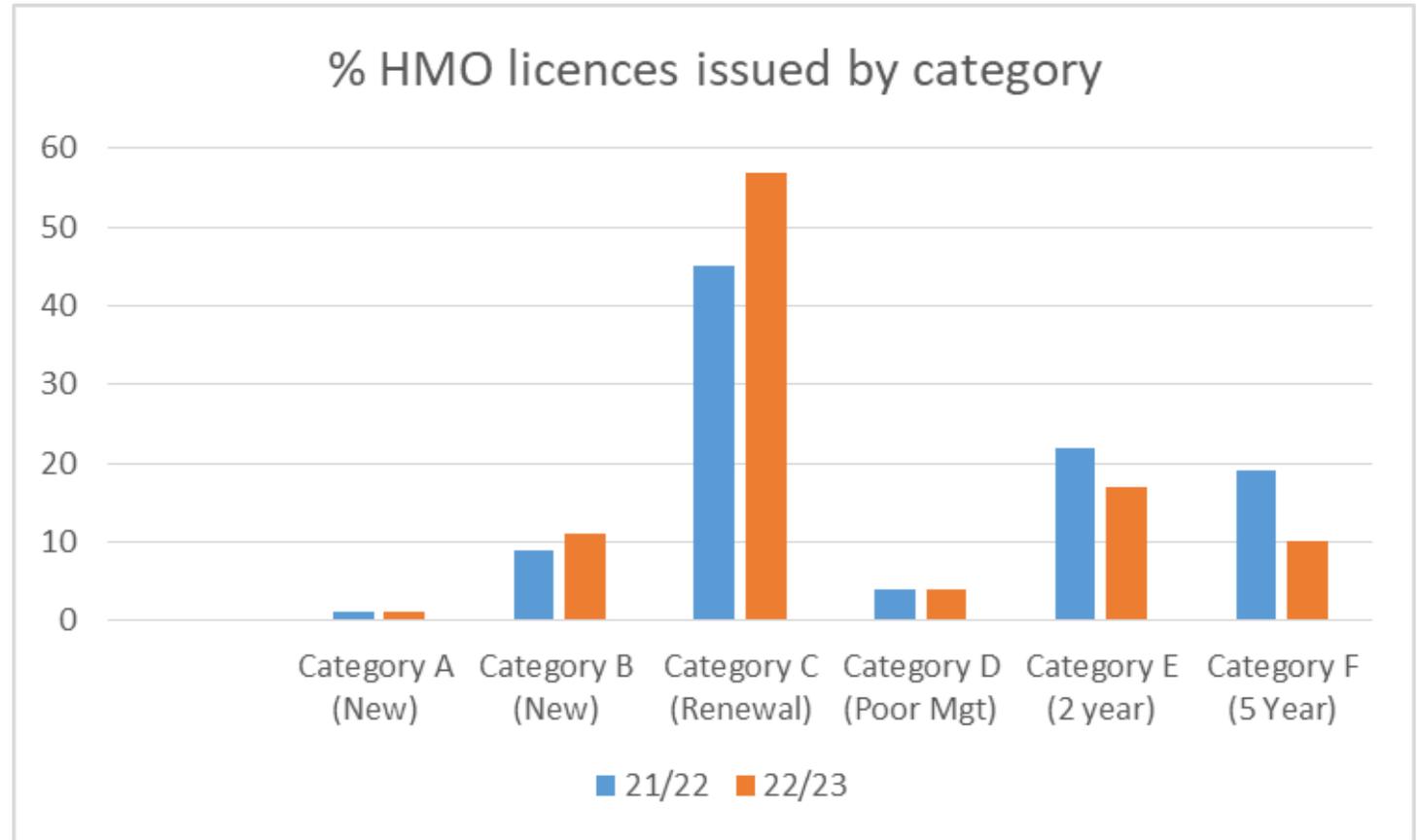


HMO Licensing Scheme 2021

- Renewed in June 2021
- Covers all HMOs including sec 257 HMOs and Student blocks not operated by Educational establishment
- Covers all of the city

Facts and Figures

- Number of issued licences by year
- 21/22 - 2338
- 22/23 - 2149



Inspections and Service Requests

Visits	21/22	22/23
Compliance visits	554	617
Compliance rate	73%	76%
Full inspections	209	177
Service Requests	21/22	22/23
Service requests received	1330	1123
Suspect HMO cases	158	115

Common issues re compliance

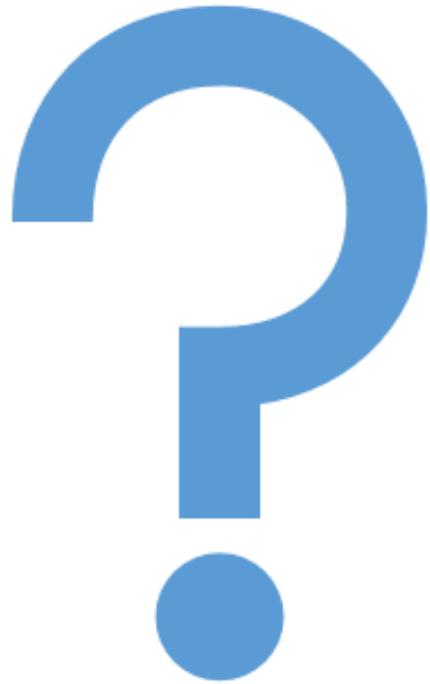
- Officers often find the following issues on proactive visits
- Insufficient fire safety after a change in letting (joint to separate tenancies)
- Extract fans dirty and not working
- Fire Doors not closing or maintained
- Missing fire blankets
- Waste in gardens
- General maintenance of property

Selective Licensing Scheme 2022

- Introduced 1st September 2022
- Covers all the city and all non-HMO properties let on a non- exempt tenancy
- 9728 applications received by 31/3/2023
- 1224 Draft licences issued
- 653 Final licences issued

Next steps

- Desk-top checks to identify unlicensed properties - work in progress
- Inspection/visits to those that are found to require a licence and do not apply
- Inspection of high priority properties – eg Block Licences
- Inspection of properties where complaints received re conditions



Questions?

Thank you for coming

Email will be sent out to attendees with links to slides, recording and checklist – may take a week

We will also send a short feedback questionnaire, including opportunity for you to suggest ideas for next forum

Next forum will be Autumn, in person in the Town Hall

Landlord newsletter to be sent in summer