

# Factsheet 2: The Housing Health and Safety Rating System (HHSRS)

## Introduction

The housing fitness regime set out in the Housing Act 1985 is to be replaced by a new framework set out in Part 1 of the Housing Bill. The test of fitness is to be replaced with an evidence-based risk assessment process - the Housing Health and Safety Rating System (HHSRS). Local authorities will in future base enforcement decisions on assessments under HHSRS. This reform will enable local authorities to address more effectively the hazards to health and safety present in dwellings.

## HHSRS

Action by local authorities will be based on a three-stage consideration:

- (a) the hazard rating determined under the HHSRS assessment;
- (b) whether the authority has a duty or power to act, determined by the presence of a hazard above or below a threshold to be prescribed by Regulations (Category 1 and Category 2 hazards); and
- (c) the authority's judgement as to the most appropriate means of dealing with the hazard.

HHSRS will also underpin the action their environmental health practitioners will take, under the powers and duties in Part 1 of the Bill, to deal with health and safety hazards in the private sector and RSL stock. It will also help authorities to prioritise decisions on the management and improvement of their own stock.

## The system of assessment

The purpose of the HHSRS assessment is not to set a standard but to generate objective information in order to inform enforcement decisions based on professional judgement. Regulations will prescribe the inspection method, and will be supported by guidance.

HHSRS assesses twenty-nine categories of housing hazard, including factors which were not covered, or were covered inadequately, by the housing fitness standard (cold, fire, noise). It provides a rating for each hazard. It does *not* provide a single rating for the dwelling as a whole. A hazard rating is expressed though a numerical score which falls within a band. There are 10 bands. The Government's current intention is that hazards with scores in Bands A to C will be Category 1 hazards, and those with scores in Bands D to J will be Category 2 hazards. Banding is intended to avoid spurious accuracy.

The HHSRS assessment is based on the risk to the *potential occupant who is most vulnerable to that hazard*. For example, stairs constitute a greater risk to the elderly, so for assessing hazards relating to stairs they are considered the most vulnerable group. In deciding the action to take, however, the local authority will also have regard to the current occupier of the premises.

## The enforcement framework

Where they intend to act, authorities will have a number of options including improvement notices requiring owners to carry out remedial action; prohibition orders to close all or part of a building; demolition; and clearance. They will also have emergency powers to take immediate remedial action themselves, or immediately prohibit occupation, where there is an imminent risk of serious harm. Authorities will be given guidance on the use of all the enforcement tools.

## **Further information**

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