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COUNTY COUNCIL  
*sir fynywy*

**June 2018**

# **Housing Renewal Policy**

**May 2018**

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## INTRODUCTION AND BACKGROUND

This Housing Renewal Policy is necessary to ensure compliance with housing legislation and the Council's strategic priorities, including improving the quality of private housing stock in Monmouthshire, particularly making and maintaining homes that are safe and energy efficient and contribute to well-being.

This Policy details how the Council will deliver assistance to help private owners and tenants to repair, maintain or adapt their homes. *It also provides information on the Council's approach to improving the energy efficiency of homes across all tenures.*

Monmouthshire County Council acknowledges the impact that poor quality housing can have on the health of the occupants and on the quality of life of those in the area.

The Council recognises the view of the Welsh Government that it is the role of the Council to protect the health of its citizens by enforcing standards where necessary and providing assistance, particularly to the elderly, disabled and vulnerable to enable them to obtain, maintain, and remain in their homes.

However, the Council also recognises that it has many competing priorities for its limited funds and that while it is not in a position to provide direct financial assistance to all who need it the Council will seek to develop links to alternative methods of assistance and resources to which citizens can be directed.

This policy document details how Monmouthshire County Council will approach its housing renewal function as the Local Housing Authority over the next five years. In particular it explains how the Council will approach:

- Enforcement powers and duties,
- The financial resources/assistance it provides
- Other services it provides or supports
- Stakeholder and partnership working
- The need to safeguard vulnerable adults and children

This document will be the framework within which Council officers can operate the policy in place for enforcement of housing standards, administer the financial assistance available and work with our stakeholders and partners.

The Council delivers its private sector housing renewal responsibilities through its Housing and Community Service and Environmental Health Section.

This Policy provides information on the financial assistance and advice that may be available from the Council to ensure homes are safe to live in, is energy efficient, and helps maintain their health and wellbeing.

## Legal Context

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 requires that local authorities develop a policy for providing households with financial assistance to improve their homes.

## Strategic Context

In developing this document as a framework for action the Council has also taken into account key local strategies and policies including:

- The Monmouthshire Public Service Board Well-being Plan
- Building Sustainable and Resilient Communities
- Corporate Business Plan 2017-2022
- Medium Term Financial Plan
- Social Justice Strategy
- Future Monmouthshire
- The Council's Safeguarding Policy 2017

### **Monmouthshire Well-Being Plan**

This Policy seeks to contribute to the Monmouthshire Well-Being Plan 2017. The vision for the plan is:

*We want to enable the building of sustainable and resilient communities that support the well-being of current and future generations.*

The Policy will also contribute to two of the Plan's four key objectives:

- Provide children and young people with the best possible start in life to help them achieve better outcomes.
- Maximise the potential in our communities to improve well-being for people throughout their life course.

### **Policy Aims**

The Council recognises the importance of good quality, affordable and sustainable housing to make a positive impact on health and well-being and to deliver wider benefits to households and communities. The aims of the policy are to:

- To improve the quality of private sector homes and particularly to keep homes safe, warm and secure, with the primary goal of improving health and well-being.
- To provide a range of different types of assistance.
- To work in partnerships to make the best use of resources available and maximise value for money
- To target resources at older, disabled and vulnerable households
- To increase the supply and access to houses within the private rented sector.

Policy objectives are:

- To minimise the time taken to deliver disabled adaptations
- To maximise the number of empty properties brought back into use
- Identify and eliminate Category 1 Hazards under the Housing Health & Safety Rating

### **Housing and Health**

The connection between poor housing and ill health has long been recognised and in many ways formed the basis for the creation of the first systems of local government in the 19<sup>th</sup> century. The requirement for houses to be "fit for human habitation" (Housing Act 1957) has

been superseded by the latest requirements of the Housing Health and Safety Rating System (HHSRS) and the Welsh Housing Quality Standard (WHQS) both of which establish objective assessment criteria for the provision of houses which are safe for occupants and visitors and which promote good health.

Despite substantial progress in establishing housing standards, there are still far too many houses in the private sector which fall short of them and while the worst conditions tend to exist in the private rented sector, the owner occupied sector has many deficiencies, particularly in relation to thermal insulation standards and environmental safety. Add to these deficiencies the problems which poor planning and estate design, and poor quality initial build standards bring and the resultant mix is one which will adversely affect the health and well being of all residents regardless of age. Targets achieved for social housing under the Welsh Housing Quality Standard following the transfer of the Council's housing stock to Monmouthshire Housing has seen significant improvements and minimum standards achieved in that sector, but the private sector must not be left behind, nor can it be left solely to the vagaries of the market.

A further fundamental driver of change must be the recognition, not only that poor housing causes ill health but that the reverse position of good housing promoting well being should not be overlooked as a positive contribution to the UK and Welsh Governments' targets for public health and wellbeing. At a time when the focus is inevitably upon GP and hospital waiting times the contribution, both positive and negative which housing makes to public and personal health should not be ignored. While the County Council will commit all available resources to improving public health through raising housing standards, it recognises that it will need the involvement of all partners and stakeholders in this task.

## **Financial Setting**

In 2002 The Regulatory Reform (Housing Assistance) (England and Wales) Order came into force. This Order has had important implications for the Council because it replaced much of the existing prescriptive legislation governing the provision of housing renewal grants and replaced them with new more flexible powers to provide assistance for housing renewal, repair and adaptation.

Due to financial pressures in other service areas the Council recognises that funding private sector housing is challenging in current financial climate. However, within these constraints the Council offers a number of options including a range of grants, adaptations and loans together with practical advice to meet the needs of particularly vulnerable people who live in houses which are in need of repair or improvement..

The Council is not currently in a position to offer any of the discretionary grants which were previously available. Fr example home repair assistance grants to home owners or repair grants to landlords. It is, therefore, recognised that this may impact on housing standards in the private sector. This means little has been done towards improving the poor standards identified in the house condition survey. In light of this the Council will seek to maximise the advice to residents in respect of options for funding.

It is the Council's wish to maintain grant funding at the present levels in real terms and to work with other housing and finance providers to facilitate the provision of funding and signpost sources of potential funding which can be used by owners to address housing deficiencies.

A key priority is to increase awareness and take-up of Welsh Government funded loan provision.

### **Safeguarding**

Safeguarding is an overriding priority for the Council, the expectations and requirement of which are set out in the Safeguarding Policy 2017. A key strand is for the Council to be assured risk is eliminated or minimised.

The need to safeguard the physical and psychological well being of vulnerable adults and children is inextricably linked with the provision of safe and suitable housing. While threats to wellbeing from others is not dependent upon the quality of the home environment; emotional stress, tension and various forms of mental illness are not helped if they co-exist with poor quality housing, lacking in suitable facilities for safe living and often made worse by overcrowding. All members of staff in Housing and Community Services receive regular training in safeguarding issues and in the systems and procedures which they must follow if they believe the well being of anyone is at risk. The Council's safeguarding procedures are embedded within the service's management structure and processes.

The Council will also require contractors who wish to bid for grant and loan funded works to subject themselves and their workforce to Disclosure and Barring Service (DBS) checks and to provide evidence that it has been done to the Council. In addition, the Council intends to offer training to contractors and their staff on the practical issues relating to safeguarding procedures. The Council has also drafted a Contractor's Code of Practice and this is included in Appendix B to this policy.

## **ENFORCEMENT OF HOUSING STANDARDS**

Monmouthshire County Council has a statutory duty to review the condition of the housing stock and deal with any deficiencies. The Housing Act 2004 radically overhauled the way that local authorities regulate standards with the introduction of the Housing Health and Safety Rating System and compulsory licensing of certain types of house in multiple occupation.

### **2.1 Housing, Health and Safety Rating System (HHSRS)**

The Housing Act 2004 has removed the long established "fitness standard" for living accommodation and introduced a numerical scoring system the H.H.S.R.S. for determining the suitability of a dwelling for occupation.

The system identifies 29 classes of hazards and is based on a *risk assessment* of any of these hazards that may be present in a dwelling. The *risk and severity of possible harm*, an identified hazard presents, to the *most vulnerable potential occupant* of that dwelling are then used to generate a score. The score then puts the hazard into one of two categories: Category 1 (more serious) or Category 2 (less serious).

This is a much more public health approach, based upon evidence of health consequences and much less about maintaining the quality and repair of the housing stock. The system underlines the importance of home safety and the Council will ensure it contributes more widely to evidence-based interventions that support national public health priorities and targets.

The Council has trained authorised officers in the use of the new system and produced an enforcement policy to ensure consistency of officers' decisions. The Council is also working

with other local authorities to benchmark its' approach and help ensure consistent application of the system across South Wales.

## **Enforcement**

This authority has adopted an Enforcement Policy (see Appendix A) specifically for enforcement of the new Housing, Health and Safety Rating System (HHSRS) to compliment the existing enforcement policy of the Authority. The HHSRS enforcement policy provides a framework and guiding principles that enable authorised officers to take a balanced and proportionate approach to enforcement.

The nature and influences on the housing market are continually changing and Monmouthshire has its specific characteristics that shape local need and priorities. The Council will be proactive in the private housing sector to ensure that standards of accommodation, particularly in the rented sector are maintained and rogue landlords deterred. It will seek to work closely and proactively with landlords and owners to help them ensure that their properties meet the relevant standards, and the Landlords Forum will be a key feature of this approach

While committing itself to a co-operative approach wherever possible, the Council is equally committed to taking enforcement action where the health, safety and wellbeing of occupants, and others, are at risk and informal measures have proved ineffective.

## **2.2 Houses in Multiple Occupation (HMO) Licensing**

The Housing Act 2004 introduced a new definition of HMO that included clarification on the previously ambiguous position on many shared houses and clearly defined them as HMOs

The Act also places a duty on the Authority to implement mandatory licensing scheme for certain categories of HMO and a power to implement additional licensing schemes for HMOs and other rented accommodation.

This Authority is committed to protecting residents from poor housing conditions, and recognises that often, these residents are the most vulnerable.

## **2.3 Empty properties and Empty Dwelling Management Orders (EDMO)**

This Authority recognises that properties that are empty for a long period of time can have a negative affect on the neighbourhood and supports the Welsh Assembly Government's view that properties should be put back into use and occupied as a means of addressing housing need,.

At any one time approximately 3.5% of total stock is empty, although to date those properties that are empty have rarely been found to be detrimental to the neighbourhood or a nuisance.

The Council will regularly and positively engage with empty property owners in the context of addressing housing need to raise awareness about the options available for bringing properties back into use.

## **2.4 Landlord and Agent Registration and Licensing (Huw Owen)**

Housing (Wales) Act 2014 Part 1 came into force on the 23<sup>rd</sup> November 2015 and introduced a compulsory registration and licensing scheme for private rented sector landlords and letting / management agents. Cardiff City Council is designated as the Single Licensing Authority

(SLA) for the administration and coordination of this scheme under the brand Rent Smart Wales (RSW).

Each local authority in Wales is working closely with RSW to help deliver compliance with the requirements of the Act. A Memorandum of Understanding (MoU) has been developed and agreed which captures the partnership working between RSW and each local authority, including Monmouthshire. The MoU details the activities that Monmouthshire and RSW will undertake. Actions for officers of Environmental Health, in addition to enforcement related activities, include:

- Annual report to RSW of all records that can identify landlords / agents
- Annually 2 officers must undertake 2 weeks equivalent proactive work to identify unregistered / unlicensed landlords.
- Visit every licensed agent in the council area at some point during their 5 year licence and undertake an audit of the properties they act as agent for.

Progress on registering and licensing is regularly provided by RSW. There were 4221 registered rental properties in Monmouthshire at the end of 2017.

## **FINANCIAL ASSISTANCE**

### **Overview:**

The Council offers several forms of financial assistance either directly or via partnerships. The main assistance offered is through:

- Disabled Facilities Grants (DFGs)
- Safety at Home Grants (SAH)
- Rapid Response Adaptations Program (RRAP) via Care and Repair Monmouthshire
- ENABLE funding from the Welsh Government
- "Affordable Warmth" programmes via the South East Wales Energy Advice Centre
- Home Improvement Loans
- Houses into Homes (Empty Property Grants)

The vast majority of funding is allocated to Disabled Facilities Grants, recognising the priority needs of the elderly and disabled and the fact that this is a mandatory grant. The principles involved in processing grants are set out in Appendix B.

Priority for all forms of assistance will be given to the elderly, disabled, those in long term ill health, vulnerable people and those on low incomes.

### **Disabled Facilities Grant (DFGs)**

The Council has a statutory duty to provide mandatory disabled facilities grants assistance. The purpose of this mandatory grant is to enable those with long-term disabilities and health problems to continue to live in their own homes with appropriate levels of support. Grants can be offered for a variety of projects to enable independent living. The purposes for which mandatory disabled facilities grants are set out in S.23(1) of the Housing Grants, Construction and Regeneration Act 1996 and includes:

- Facilitating access by the disabled occupant to and from the dwelling.....



- Making the dwelling.....safe for the disabled occupant and other persons living with him/her.
- Facilitating access by the disabled occupant to a room used or usable as the principal family room.
- Facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility.

Eligible works will be determined subject to an assessment of need by the Council's Occupational Therapist.

These grants are subject to means testing to establish if the applicant needs to make a financial contribution towards their adaptation.

It is a priority of the Council to deliver DFG's as quickly as possible and to minimise turnaround. The target for 2018/19 is 180 days.

The operation of the DFG system is detailed in Annex 2. Changes in the way small DFGs are processed have reduced the burdens for both applicants and the Council and have expedited the processing of the majority of applications.

## **Current situation**

In 2018/19 the Council has allocated a total of £900,000 to the Grants Team. In addition WG Enable funding of £96,782 was utilised. Of the £900,000 capital funding available, approximately £750,000 is allocated for major disabled adaptations (DFGs) and £150,000 for minor adaptations via Safety at Home Grants (SAH). The annual budget allocation between disabled facilities grants and safety at home grants will be reviewed regularly in line with demand. The ENABLE funding may be used to support shortfalls in cases where the DFG limit is exceeded together with providing additional funding for partnership arrangements, such as Care & Repair to carry out small works.

### **Children**

Adaptations for disabled facilities are very expensive and grants for adaptations for disabled children are non-means tested. This type of grant therefore can absorb a large portion of the DFG budget for a small number of projects. The average cost of an adaptation for children has been five times the level for an adult) and is likely to rise still further.

There are currently children, under the age of 5, known to the Children with Disabilities Team who are likely to require extensive adaptations to their home in the relatively near future. The Council will assist in accordance with this Policy.

### **Older People**

A rising demand from the ageing population is increasingly placing further pressure on the financial resources available for DF grants. The Council recognises the importance of facilitating hospital discharges or supporting packages of care. In this context, a revised service level agreement has been established with Care and Repair Monmouthshire which will ensure the most effective and appropriate use of the Council's Safety at Home grants and the Rapid Response Adaptation Programme funds. SAH grants and DFGs will not be directly available to RSL tenants who should contact their landlord in the first instance.

### **Safety at Home Grants**

This discretionary grant was introduced during 2001/02 specifically to offer help to those in poor health or patients who have recently been discharged from hospital with mobility problems and who therefore need minor adaptations such as handrails, access ramps and intercom door entry control systems.

Considerable emphasis has been placed on a rapid response to requests from the Community Nursing Team and Occupation Therapy Service and applications are processed quickly and with minimum documentation.

The majority of work is carried out via Monmouthshire Care and Repair and they administer the budget and undertake all works. The intention is that Safety at Home funding will be managed alongside the Care & Repair Rapid Response Programme, to maximise the effective use of the two programmes. As a guide an average of £121.00 per referral was spent using this form of grant in 2007 and this has risen year on year until in 17/18 the average cost was £166.30.

In the event of funding pressures, the Council through Social Care may require Care & Repair to prioritise the funding available to ensure those in most need get the assistance they need.

### **ENABLE – Support for Independent Living**

The Council receives annual funding from Welsh Government to deliver a programme of ENABLE adaptations. The ENABLE programme is an additional funding stream for adaptations and is designed to simplify and speed up the process of delivering an adaptation. It has the advantage of offering flexibility in respect of delivering solutions.

The Council will work in partnership with other agencies to deliver the programme.

### **Rapid Response Adaptations Program**

Monmouthshire Care & Repair operate a Rapid Response Adaptations Programme, funded by Welsh Government.

Through referrals that facilitate hospital discharge, prevent inappropriate discharge or prevent admission to long-term care, Care and Repair Monmouthshire will assist owner-occupiers and private tenants who are over the age of 60 or are physically disabled or chronically sick.

As its name implies the scheme is intended to provide a rapid response to need and the priority therefore is speed of service delivery. The joint operation of the RRAP and SAH budgets are monitored both for cost effectiveness and speed of delivery and the performance reported on a quarterly basis.

### **Energy Efficiency & Tackling Fuel Poverty**

There is an effective Service Level Agreement with the Energy Savings Trust which operates its Energy Advice Centre (SEWEAC) on behalf of the Council to provide advice and signposting services to the community at large. The ongoing development of a national programme for improvements in fuel efficiency, energy conservation and carbon reduction funded by industry led programmes together with publicly funded schemes such as NEST ensures that occupants who are at risk of fuel poverty can be considered for grant aid for insulation upgrades and the provision of fuel efficient heating systems.

The Council is unable to directly fund energy efficiency programmes, but will seek to identify funding opportunities such as through Welsh Government Arbed or utility companies. Where such funding can be secured the aim will be to develop projects that target poorly insulated and performing properties and low income households. This is most likely to be delivered on a geographical basis.

### **Repair Grants**

While the Council acknowledges the role that the private rented sector plays in meeting housing need in Monmouthshire, the high demand for mandatory DFGs means it is unable to provide any budget from which it can fund discretionary grants to private sector housing. It will however, keep this situation under review and should slippage occur in other budgets which can be targeted at improvement schemes for private rented property (which will be tied to nomination rights) consideration will be given to doing so. .

### **Home Improvement Loans**

In conjunction with the Welsh Government, the Council will offer Home Improvement Loans (HILs) to home-owners who can meet the affordability rules. An Interest free loan of up to £25,000 will enable homeowners to carry out repairs and improvements to their homes.

HILs must also address any Category One hazards if identified by the Council's Environmental Health Service

An administration fee, determined by the Council, will be payable. This may be reviewed periodically.

**Empty Homes Loans:** Loans are available to the following category of empty property owners

#### **Developers**

Loans are available to developers that purchase empty properties to bring back them back into use. Repayment terms will depend upon the end use of the refurbished property, for example,

- If the property is being sold after refurbishment the term is 2 years
- If the property is going to be for rental at market rents the term is 5 years.
- If the property is going to be for rental at LHA rate the term is 10 years.

#### **Empty Property Inheritors**

Loans are available to people who inherit an empty property. These are known as Owner Occupier loans. Owners can borrow £1000 to £25,000 with repayment terms dependent on the end use of the property. For example,

- If the owner intends to occupy the property after refurbishment the term is up to 10 years.
- If the owner does not intends to occupy – up to 5 years.

An administration fee, determined by the Council, will be payable. This may be reviewed periodically.

## **OTHER SERVICES AND SUPPORT**

There is a clear link with poor housing and ill health and while more people are choosing to live independently it is vital that community based support mechanisms are available to them. This policy recognises the importance of partnership working to support independence and safe living. A wide range of advice, support and assistance is provided to elderly, disabled and vulnerable people, who privately rent, or own and live in their own property.

### **Care and Repair**

Care & Repair provide a free, comprehensive home improvement and advisory service to older and disabled people, living in both Monmouthshire and Torfaen to help them remain in their own homes in greater comfort, warmth and security. The service is for people who live in Monmouthshire and Torfaen who are homeowners or private tenants.

Care & Repair offer free, impartial advice on repairs and alterations and will help people get estimates and select a reputable contractor.

The core Care and Repair service is a bespoke, customer led service to help older homeowners to carry out repairs, improvements and adaptations to their homes. The agency provides advice and assistance with:

- welfare benefits advice,
- access to grants and benevolent funding
- approved contractor list
- help with forms and letters
- fire safety, security and energy efficiency checks

The agency also offers -

- A home safety check to all residents of the county who are aged 75 or over under the Healthy at Home scheme subject to funding through the Council's Supporting People programme. The check provides a specific falls prevention function.
- A rapid response minor adaptations scheme, carrying out jobs such as installation of handrails, grab rails, shower seats etc using both an in-house handy person and approved contractors. These jobs are funded by the Welsh Government Rapid Response Adaptation Programme grant, with the aim of either preventing hospital admission or prompt discharge from hospital – clients referred by Healthcare professionals)
- Safety at Home minor adaptation grants through funding from the Council. Care & Repair will administer Safety at Home alongside the Rapid Response Adaptation Programme.

### **.Home Safety**

The importance of home safety is recognised at a national level and the prevention of falls is a key health improvement target. The Council and the Local Health Board are working in partnership with Care and Repair to fund a 'Staying Healthy at Home' Project targeting residents aged over 75. This provides a home check and one-stop home-safety service.

### **Right Move Bond Scheme**

The Council in partnership with Pobl, aims to improve opportunities for people to secure private rented accommodation by offering landlords guarantees of an agreed amount against rent arrears, loss and damage. This improves access to accommodation and supports homeless prevention in Monmouthshire.

### **Registered Social Landlords**

Registered Social Landlords (Housing Associations) have a key role in supporting the Council's housing strategies.

In the field of housing renewal they have access to funds under the Physical Adaptation Grant (PAG) scheme which give them direct access to WAG funds. In addition their finance raising and investment abilities mean that they can work in partnership with the Council and/or private owners via joint investment initiatives.

The Council will also look to RSLs to be innovative in the ways they invest in the existing private sector whether by outright purchase to aid renewal or by equity share arrangements with owners or would be owners who cannot afford the capital costs which property acquisition and renovation often involves.

### **Careline Service**

The Careline service provides a telecom based range of personal and environmental monitoring services within a person's home to enable them to maintain optimum independence. Emergency contact telephone systems, automated lighting systems and fire and smoke detection are but a few of the services which can be offered through this service. The Council recognises the contribution which well designed assistive technology can make to a person's independence at home. It will include the installation and first year rental costs of a base unit, personal alarm, CO detector and smoke detectors in the schedule of eligible works for all DFG funding for adults.

## **PARTNERSHIP WORKING**

### **Private Landlords**

The Council acknowledges the important role the private rented sector fulfils in the provision of homes within Monmouthshire. The Council will work with private landlords to ensure quality and affordable homes are provided and to assist this sector with housing renewal. Standards of accommodation have been found to vary and by working with landlords the Council has attempted to ensure a greater consistency and compliance with relevant standards. The following schemes and initiatives will be critical in developing the private rented sector and increasing the range and quality of available housing options:

## Landlord's Hub

The Council has a long established forum for private landlords, which is currently provided jointly with Torfaen County Borough Council. The strategic aims of the Landlord's Hub are:

- to develop and increase the supply of private rented accommodation
- help reduce homelessness and the use of temporary accommodation
- to promote and improve the quality, diversity and management of the private rented sector
- to link in with the all Wales accreditation scheme – Rent Smart Wales

These aims will be achieved by:

- providing training, information and advice for Landlords
- providing an opportunity for landlords to network
- holding quarterly forums and themed events
- facilitating access to discounts and preferential rates from local businesses

## Neighbouring Councils

The Council will work together with neighbouring authorities, in developing its housing renewal policies. Working groups are in place for officers to liaise and share/develop best practice and ensure consistency.

## Performance Monitoring

The Council will monitor the delivery of this policy through a quarterly performance management framework.

Key areas of monitoring include:

- No.'s of DFG referrals (adults and children)
- No.'s of DFG completions (adults and children)
- Average time to complete (adults and children)
- Client satisfaction in respect of the DFG programme.
- No. of safety at home grants
- No. of loans provided

## Complaints

The Council is committed to dealing effectively with any complaints you have about our service. The Council aims to clarify any issues about which anyone isn't sure about. If possible, every effort will be made to put right any mistakes that may have been made. The Council will provide any service to which anyone is entitled but didn't deliver upon. If the Council is an apology will be issued and offer redress if appropriate. The Council also aims to learn from mistakes and use the information we gain to improve our services

Complaints can be made in any of the ways below:

- Ask for a form from the person with whom you are already in contact. Tell them that you want us to deal with your concern formally
- By telephoning 01633 644647 or 01633 644672

- Via a complaintys form on the website by following this link:  
[www.monmouthshire.gov.uk/complaintsandcompliments](http://www.monmouthshire.gov.uk/complaintsandcompliments)
- E-mail to [feedback@monmouthshire.gov.uk](mailto:feedback@monmouthshire.gov.uk)

Complaint forms available will be available at all service outlets and public areas such as local offices and libraries.

This policy and the complaint form is available in Welsh or another language or format (perhaps Braille or large print).

## **POLICY IMPLEMENTATION AND REVIEW**

This document is intended to set out the Council's framework for service delivery over the next five years (until and including 2022) but it will be reviewed annually with our partners and stakeholders and an annual action plan will be developed so that progress can be assessed. If, in the light of changed circumstances, it seems appropriate to review the policy framework before 2022 this will be done.

Suggestions and enquiries about policy implementation should be addressed to:

Housing & Communities Manager  
Monmouthshire County Council  
County Hall  
The Rhadyr  
Usk  
Monmouthshire  
NP15 1GA

## APPENDIX A



CYNGOR  
monmouthshire  
COUNTY COUNCIL  
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### **Private Sector Housing Enforcement Policy**

### **Housing Health and Safety Rating System**

**July 2007**



## 1.0 **Introduction**

The Housing Act 2004 introduced a new system for assessing housing conditions, known as the Housing Health and Safety Rating System (HHSRS), which is to be applied to the enforcement of housing standards in all types of residential accommodation. This new system replaces the fitness for human habitation standard as contained within Section 604 of the Housing Act 1985.

The new system is structured around an evidence based risk assessment procedure, which considers those hazards that may be present in a dwelling from a list of 29 classified hazards. The risks that any such hazards may present to the most vulnerable potential occupant of that dwelling are then used to generate a hazard score. That score is, on the basis of its numerical value, then classified as a Category 1 hazard or a Category 2 hazard. Category 1 hazards can further be subdivided into those banded A-C and Category 2 hazards can be subdivided into those falling within bands D-J reflecting decreasing levels of risk.

Under the Housing Act 2004 Monmouthshire County Council has a duty to take appropriate enforcement action where there is a Category 1 hazard, and a discretionary power to take appropriate enforcement action where there is a Category 2 hazard. To ensure a consistent approach to housing standards enforcement, the Council has developed this policy for enforcement of the Act. This policy complies with the principles of the Enforcement Concordat, which the Council has signed up to and its own corporate enforcement policy.

This policy will be subject to review within 12 months to accommodate changes introduced by W.A.G. and changes required by experience of the application of this new legislation.

## 1.2 **Corporate Objectives / Local Housing Strategy**

In developing this policy regard has been had to the Council's Strategic Aims and corporate values as set out below.

**“Promoting a better quality of life for all people and communities in Monmouthshire”**

### **Strategic Aims**

- Making Monmouthshire Cleaner and Greener
- Helping People Enjoy Healthier Lives
- Creating Learning Opportunities for All
- Stimulating Strong Local Economies
- Supporting Safer and Stronger Communities
- Improving the Council's Effectiveness

### **Values**

- **Openness:** we aspire to be open and honest to develop trusting relationships.
- **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

## 1.2 Enforcement Policy Aims

1. To strive to ensure good quality, healthy housing for all residents of Monmouthshire and to prioritise action to those properties which present the greatest risks to health and safety.
2. To act on any duly made request for inspection or complaint about conditions by sending a suitably authorised officer to inspect a property under the H.H.S.R.S.
3. To ensure all enforcement activities are:
  - Undertaken in accordance with the principles of good practice specified by the Enforcement Concordat.
  - Compatible with the rights specified by the Human Rights Act 1998
  - Managed in an efficient manner
  - Taken promptly and without unnecessary delay
  - proportionate to the risk to health and safety;
  - applied consistently by all authorised officers;
  - targeted; and
  - transparent in its application.

## **2.0 Enforcement**

### **2.1 Authority and Decision Making**

The Council has delegated powers to officers duly authorised by the Director of R.E.R. Such authorisations are given only if the officer is considered by the Environmental Health Manager to be competent. Assessment of competency will be based upon experience, qualification and training.

Training will include courses accredited by the Welsh Assembly, or Department of Communities and Local Government to carry out inspections of dwellings and H.M.O.s using the Housing Health and Safety Rating System.

Regular team meetings will be held on use of the HHSRS and enforcement decisions to ensure consistency of approach.

### **2.2 Enforcement Options**

It is the policy of this Council to ensure that enforcement action is always taken in a fair and consistent manner proportionate to the risks to health and safety. To help achieve this the Council will make reference to guidance from the Department of Communities and Local Government (D.C.L.G.), Welsh Assembly Government (W.A.G.) and Local Authority Co-ordinators of Regulatory Services (L.A.C.O.R.S.) and such other guidance as may be considered relevant.

The enforcement options available to the Council are:

- i. To issue Hazard Awareness Notices**
- ii. To serve Improvement Notices**
- iii. To serve Prohibition Orders**
- iv. To take Emergency Remedial Action (not available for Cat 2 hazards)**
- v. To serve Emergency Prohibition Orders (not available for Cat 2 hazards)**
- vi. To make a Demolition Order (not available for Cat 2 hazards)**
- vii. To declare a Clearance Area (not available for Cat 2 hazards)**
- viii. To do nothing (not available for Cat 1 hazards)**
- ix. To deal with the matter informally**

These are individually explained in Annex 1

The above actions are mutually exclusive when dealing with the same hazard in the same premises. However, the Council can take a different course of action or the same course of action again, if the initial action has not proved satisfactory. Emergency measures are the exception to the above rule. For example, where emergency remedial action is followed by an Improvement Notice or a Prohibition Order it is considered to be a single course of action.

When taking enforcement action the Council will prepare and serve with any Notice or Order under Part 1 of the Act, or any copy of a Part 1 Notice or Order, a statement of reasons for the decision to take enforcement action. The statement will include an explanation as to why a particular course of action was taken in preference to the other forms of available action. Where the relevant enforcement action is the declaration of a clearance area, the statement of reasons must be published as soon as possible after the resolution declaring that the area be defined as a clearance area under Section 289 of the Housing Act 1985, is passed.

***Note:** For the purposes of this Enforcement Policy the ‘relevant person’ can be taken to refer to the individual or company who could be the subject of enforcement action. This would be determined by the nature of the residential premises in question.*

### **2.3 Most Satisfactory Course of Action**

Where a Category 1 or Category 2 hazard exists on a residential premise the Council will **first decide on the most satisfactory course of action in relation to that hazard.**

When deciding the most satisfactory course of action the Council will take the following matters into account

- i. The risk to health and safety; whether there is an imminent risk.
- ii. The severity of the hazard
- iii. The views of the relevant person
- iv. The current occupant and their views.
- v. The current occupation or likelihood that the property will become occupied by a member of a ‘vulnerable group’ or a group who could be at particular risk.
- vi. The relevant person’s attitude towards the hazards identified.
- vii. The consequences of non-compliance.
- viii. The cost of compliance.(i.e. An economic appraisal)
- ix. The likely effectiveness of the enforcement options under consideration.
- x. Local priorities and strategic aims of the Council.
- xi. Danger to the members of the public.
- xii. Multiplicity of hazards affecting the overall suitability of the property for occupation.
- xiii. Results of consultations with other regulatory bodies

### **2.4 The Process**

Normally, once the decision on the most satisfactory course of action has been made, with exception of emergency procedures, the relevant person will be given the opportunity to remove or reduce the hazard prior to the service of any Notice or Order under Part 1 of the Act.

We will write to the relevant person detailing the hazard, along with suggested steps to remove or reduce it to an acceptable level Officers will clearly

differentiate to the relevant person what is legally required and what is recommended as good practice.

In addition to this, the relevant person will be given a date by which to complete the work and warned that failure to remove or reduce the hazard to an acceptable level by this date will result in legal notices being served.

However, there may be circumstances where this informal step may be skipped and formal notices/orders are served immediately. When deciding whether or not to proceed immediately to legal notices the Council will take the following matters into account:

- History of past compliance of the relevant person.
- confidence in the relevant person
- the attitude of the relevant person

## **2.5 Additional Enforcement Powers**

The Council has powers to carry out works in default in certain circumstances and to reclaim costs associated with delivering its enforcement powers.

## **3.0 Which Option In Which Property?**

<b>3.1</b>	<b>Tenanted Property</b>
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### **Category 1 Hazard**

The Council has a duty to take action.

The available options:

Hazard Awareness Notice or  
Formal notices:

- Improvement notice (& suspended )
- Prohibition Order (suspended & emergency)
- Emergency remedial Action
- Demolition
- Prosecution
- Clearance

It is anticipated that a hazard awareness notice will not be served and this Council's preferred action will be to ensure that the hazard is remedied through one of the formal notices.

### **Category 2 Hazard**

The Council has a power to take action.

The available options:

Do nothing  
 Informal Letter  
 Hazard Awareness Notice  
 Formal notices:

- Improvement notice (& suspended )
- Prohibition Order (suspended & emergency)

It is anticipated that a Hazard Awareness Notice would usually be this Council's preferred action in this circumstance.

3.2	<b>Owner Occupied Premises</b>
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### **Category 1 Hazard**

The Council has a duty to take action.

The available options:

Hazard Awareness Notice or  
 Formal notices:

- Improvement notice (& suspended )
- Prohibition Order (suspended & emergency)
- Emergency remedial Action
- Demolition
- Prosecution
- Clearance

It is anticipated that a Hazard Awareness notice would usually be the preferred action in this circumstance, subject to consideration of the additional criteria set out below and in paragraph 2.3 above.

### **Category 2 Hazard**

The Council has a power to take action.

The available options:

Do nothing  
 Informal Letter  
 Hazard Awareness Notice  
 Formal notices:

- Improvement notice (& suspended )
- Prohibition Order (suspended & emergency)

It is anticipated that an Informal Letter would usually be the preferred action in this circumstance.

Additional Criteria to be taken into account in determining the most satisfactory course of action in respect of an Owner Occupied property.

- The presence of any vulnerable occupants/family members /visitors
- Impact on other properties
- Council policies and priorities

## **The Enforcement Options**

### **Hazard Awareness Notices (Sections 28 and 29).**

A Hazard Awareness Notice under section 29 (notice relating to a Cat 2 hazard) may be a reasonable response to a less serious hazard, where the Authority wishes to draw attention to the desirability of remedial action.

A Hazard Awareness Notice under section 28 (notice relating to a Cat 1 hazard, where no Management Order is in place under Part 4) may be an appropriate course of action as a means of advising the relevant person that a Category 1 hazard exists on the residential premises. This would be appropriate in circumstances where remedial action or prohibition is unreasonable or impractical.

The service of a Hazard Awareness Notice does not preclude further formal action, should an unacceptable hazard remain.

Hazard Awareness Notices will be drafted in accordance with the relevant section of the Housing Act 2004, as determined by the category of hazard.

### **Improvement Notices (Sections 11 and 12).**

An Improvement Notice under Section 11 will be an appropriate course of action where a Category 1 hazard exists on residential premises, and, where no Management Order is in place under Part 4 of the Act. An Improvement Notice served under this section must, as a minimum, remove the Category 1 hazard; however, it may also extend beyond this. For example, this may be appropriate where a remaining Category 2 hazard would still present an unacceptable risk to health and safety or where the duty on the Authority to take action may arise again should conditions deteriorate.

An Improvement Notice under Section 12 may be an appropriate course of action where a Category 2 hazard exists on residential premises, and, where no Management Order is in place under Part 4 of the Act. A Notice served under Section 12 would require the relevant person to take suitable remedial action in respect of the hazard(s) concerned.

When the Notice becomes operative it will be registered as a local land charge on the premises to which it relates.

All Notices will be drafted in accordance with Section 13 of the Housing Act 2004 and will be accompanied by information on the appeal procedure and the time limits for such an appeal.

### **Suspension of Improvement Notices (Section 14).**

An Improvement Notice may, for the operation of the notice, be suspended until a time or the occurrence of an event specified in the notice. Suspension of an Improvement Notice may be the preferred course of action where for example it is appropriate to wait until a person of a particular description begins, or ceases to occupy the premises.



### **Revocation and Variation of Improvement Notices (Section 16).**

Where the Council are satisfied that an Improvement Notice has been complied with any such Notice will be revoked. The Council may also, at their discretion, revoke an Improvement Notice where it is deemed that there are special circumstances (in respect of a Cat 1 hazard), or where (in the case of a Cat 2 hazard) it is considered appropriate.

In the case of a Notice that applies to more than one hazard, the requirement of the preceding paragraph will apply to each of the hazards individually.

The Council may also vary Improvement Notices in the following circumstances:

- Where part of a Notice, which relates to more than one hazard, has been revoked the remainder of the Notice may also be varied as considered appropriate; or,
- with the agreement of the person on whom the Notice was served; or,
- in the case of a suspended Improvement Notice, so as to alter the time or event specified that triggers the end of suspension.

### **Review of Suspended Improvement Notices (Section 17).**

Suspended Improvement Notices will be reviewed in accordance with Section 17 of the Housing Act 2004.

### **Prohibition Orders (Sections 21 and 22).**

A Prohibition Order made under Section 21 may be an appropriate course of action where a Category 1 hazard exists on residential premises, and, where no Management Order is in place under Part 4 of the Act. An Order made under this section may prohibit use of part or all of the premises for some or all purposes, or occupation by particular numbers or descriptions of people.

Section 22 makes an equivalent provision for a Prohibition Order to be made where a Category 2 hazard exists on residential premises, and, where no Management Order is in place under Part 4 of the Act.

Prohibition orders will be drafted in accordance with Section 22 of the Housing Act 2004.

When the Notice becomes operative it will be registered as a local land charge on the premises to which it relates.

### **Suspension of Prohibition Orders (Section 23).**

A Prohibition Order may, for the operation of the Order, be suspended until a time or the occurrence of an event specified in the Order. Suspension of a Prohibition Order is at the discretion of the Council and it may be the preferred course of action when:

- it is appropriate to wait until a person of a particular description begins, or ceases to occupy the premises: or,
- in the case of an event, where a person, has not complied with an undertaking given to the Council.

### **Revocation and Variation of Prohibition Orders (Section 25).**

Where the Council are satisfied that a hazard, in respect of which a Prohibition Order was made, no longer exists, then any such Order will be revoked. The Council may also, at their discretion, revoke a Prohibition Order where it is deemed that there are special circumstances (in respect of a Cat 1 hazard), or where (in the case of a Cat 2 hazard) it is considered appropriate.

In the case of an Order that applies to more than one hazard, the requirement of the preceding paragraph will apply to each of the hazards individually.

The Council may also vary Prohibition Orders in the following circumstances:

- where part of an Order, which relates to more than one hazard, has been revoked the remainder of the order may also be varied as considered appropriate; or,
- with the agreement of every person on whom the Order, or copies of the Order, were required to be served; or,
- in the case of a suspended Prohibition Order, so as to alter the time or event specified that triggers the end of suspension.

### **Review of Suspended Prohibition Orders (Section 26).**

Suspended Prohibition Orders will be reviewed in accordance with Section 26 of the Housing Act 2004.

### **Emergency Remedial Action (Section 40).**

Emergency remedial action taken under Section 40 may be an appropriate course of action where a Category 1 hazard exists on residential premises, and, where no Management Order is in place under Part 4 of the Act. Action taken under this section is that action which the Council considers necessary to remove an imminent risk of serious harm to the occupiers of any residential premises. Emergency remedial action taken under this section may be taken in relation to one or more Category 1 hazard in the same premises.

The Council will serve an emergency remedial action notice upon the relevant person within 7 days, beginning on the day the remedial action starts.

Emergency remedial action notices will be drafted in accordance with Section 41 of the Housing Act 2004.

### **Emergency Prohibition Orders (Section 43).**

An Emergency Prohibition Order made under Section 43 may be an appropriate course of action where a Category 1 hazard exists on residential premises, where no Management Order is in place under Part 4 of the Act and where a hazard involves an imminent risk of serious harm to the health or safety of any occupiers of residential premises. An Order made under this section may prohibit use of part or all of the premises as is necessary and, unlike a Prohibition Order, is effective immediately. An Emergency Prohibition Order made under this section may relate to one or more Category 1 hazard in the same premises.

The aforementioned provisions of Section 25 which relate to revocation and variation of a prohibition order, also apply to Emergency Prohibition Orders.

Emergency Prohibition Orders will be drafted in accordance with Section 43 of the Housing Act 2004.

**Demolition Orders (Section 46).**

A Demolition Order made under Section 46 may be an appropriate course of action where a Category 1 hazard exists on residential premises, where no Management Order is in place under Part 4 of the Act and the property in question is not a listed building.

**Prosecution**

All evidence will be gathered in accordance with the Police and Criminal Evidence Act 1984 and associated Codes Of Practice.

Before a decision to prosecute is taken the officer, together with the Environmental Health Manager and the Councils Legal Section, must be satisfied that both the 'Evidential Test' and the 'Public Interest Test', as contained within the Code for Crown Prosecutors, is in general terms satisfied.

When a prosecution is proposed the case file will be submitted to the Council's Legal Section as soon as possible for consideration.

## APPENDIX B

### Processing Grant Applications:

This appendix covers how officers will administer the Disabled Facilities Grant budgets, and ad hoc funding from external sources such as the Welsh Government Housing Division. It covers:

Purpose for which grants may be given  
 Eligibility  
 The application process  
 Reasons for relocation grant  
 General Conditions attached to applications  
 Safeguarding  
 Contractor's Code of Practice

### Purpose for which grants may be given:

Grants may be given for the following purposes:-

- Facilitating access to and from the dwelling
- Making the dwelling safe for the disabled occupant and other persons residing in it.
- Facilitating access by the disabled occupant to a room used or useable as the principal family room and a room used for sleeping.
- Providing specially adapted toileting and bathing facilities.
- Facilitating access for the disabled occupant to food preparation and cooking facilities.
- Improving heating systems to meet the special needs of the disabled occupant
- Facilitating access by the disabled person to heating, lighting and electrical power controls.
- Facilitate access and movement by the disabled person to enable another person who is normally resident, to be cared for by him or her.
- Assisting in the relocation of an eligible person from their present home to another property which better meets their needs, or which can be made to do so more easily.

### General Eligibility Criteria for Grant Aid

- All owners, tenants and licensees who are able to satisfy the criteria in section 19-22 of 1996 Act are eligible for disabled facilities grant
- Applicants must be owners of a property or have a secure tenancy with an unexpired period of lease of at least seven years (i.e. owner occupiers and private tenants.)

- Tenants of Housing Associations are eligible but will also be asked to approach their landlord for other assistance, which may be available from the Assembly under Scheme 1a funding.
- The Council will no longer continue to offer discretionary Disabled Facilities Grants, but those living in park homes or houseboats will be eligible to apply.
- Landlords may also apply on behalf of a disabled tenant and will need to consider the requirements and implications of the Disability Discrimination Act placed upon the landlord to make 'reasonable adjustment' in respect of the disabled person
- All applications for disabled facilities grant will be subject to a means test as set out in the Act. This may result in a financial contribution. However, in any case where an applicant is over 60 years of age and in receipt of at least one of the following benefits, no contribution will be required:-

Income Support; Pension Credit; Minimum Income Guarantee; Council Tax Benefit; Housing Benefit,

- All enquiries for DFG assistance will be subject to a detailed assessment and referral by the Council's Occupational Therapy Service.
- Applicants are eligible to a maximum grant of £36,000. (Including VAT and Fees). However in very exceptional cases additional top up grants may be considered but the Council will expect the applicants, or in the case of children, their parents, to demonstrate that they have no ability to make any (further) contribution from other sources.
- Even where all other eligibility criteria are fulfilled there may be circumstances where the works are unreasonable or impractical (Assembly Circular 20/02 and Housing Act 1996 Section 24). These circumstances would generally relate to the age, condition and sustainability of the property. This may involve the consideration of re-housing to more suitable accommodation. The availability of the Relocation Grant could facilitate this.
- Also in accordance with circular 20/02 and section 24 of the Act the Council reserves the right to determine whether works are necessary or appropriate and to vary the works and costs where it considers that the works requested are more or less extensive than is required to meet the needs of the applicant.
- The Council will allow grant aid for the appointment of a suitably qualified agent to prepare drawings, obtain approvals, prepare schedules of work and contracts, and to supervise the work on behalf of the client. The Council will also act as agent on behalf of the client if required and will charge a fixed fee for this service. All such fees attract grant aid so in reality very few applicants incur any costs.

### **Relocation Grants**

In exceptional cases the Council will consider relocation assistance for all tenures where it is considered the most cost effective or practical option and in cases where the applicant's current home is unsuitable for improvement, repair or adaptation.

The Council will inspect the existing and new property, and authorisation from the Housing and Communities Manager will be necessary prior to an offer being made. The maximum amount of financial assistance will be £10,000 and will cover costs including estate agents fees, solicitor's fees, stamp duty and difference in purchase price. Consideration will be given to further assistance to adapt the new premises where this, together with the relocation assistance, represents a more cost-effective solution than staying in the first home. Persons eligible will be limited to those who have been means tested for mandatory disabled facility grant or major or minor works assistance, and have not previously received relocation assistance. That is, the funds that would be used are those budgeted for DFGs.

### **Safety at Home (SAH) and Rapid Response Adaptation Programme (RRAP)**

1. All enquiries will be referred to the Council's Occupational Therapy Service and an assessment completed. Any recommended works will be referred to Care and Repair Monmouthshire which will then decide on the assistance to be offered.
2. In order to achieve a rapid response there is no application form, enquiry or waiting list and no financial contribution required. Payment of invoices is made by Care and Repair Monmouthshire (CRM) who are reimbursed by the Council if funding is taken from the SAH allocation under a service level agreement.
3. The majority of work is referred to Monmouthshire' Care and Repair for completion is undertaken by the "Handyperson" Scheme. If the work is complex or requires the installation of specialist equipment, the Housing Grants Team can arrange for the work to be done.

### **SAH and RRAP Eligibility**

This source of funding is only available to private sector households and will be available only where a referral has been received from the Occupational Therapy service to facilitate discharge from hospital or to sustain continued supported living at the applicant's residence.

- The grant is not means tested
- The grant is available to all owners and tenants
- Applicants are eligible to a maximum grant of £1,000 or £1,500 in exceptional cases.

### **General Conditions**

In addition to the criteria attached to each form of assistance, the following general conditions apply to all grants except SAH/RRAP grants:

Applicants will be required to sign a certificate stating that they or a member of their family intends to occupy the dwelling as their own or main residence, or if a landlord they intend to let the dwelling as a residence to someone unconnected with them for a period of 5 years. In the case of landlords of HMO's this is a 7 year period during which they will be required to offer the Council nomination rights to all vacancies.

If the property is sold within 5 years of the completion of the assisted works then the grant will be repayable in full. However, in certain circumstances the Council will consider an application to waive part or full repayment. Generally, these would relate to cases of financial hardship where the owner can no longer afford to remain at the property. An application must be accompanied by full financial details.

The grant is registered as a charge against the property on the Land Charges register.

### **Performance and Appeals**

The number of applications for any grant aid that can be dealt with is dependent on the availability of funding. This will affect the speed with which the Council can deal with enquiries and inevitably there will be waiting lists. The performance management of the Grants Team has recently been reviewed and the requirement for robust quality assurance and customer feedback has been recognised. As a result, new performance indicators have been devised including qualitative indicators and progress will be reported quarterly, in addition to a record of monthly service activity. The Council uses a customer feedback form which it uses to assess the quality of its services. It will also ensure that all referrers and grant applicants have a named officer with whom they can make contact regarding their grant and will maintain a waiting list of enquiries for assistance.

All applicants have the right to request a review of the decision and this request must be made within 21 days from the day on which the applicant is notified of the Council's decision. The applicant or someone acting on that persons behalf may make representation in writing to the Council in connection with the review and the Housing and Community Services Manager will consider all appeals. The Council will notify the applicant of the decision in a review within eight weeks from the day on which the request for the review is made, unless a longer period is mutually agreed between the Council and the applicant in writing. Applicants have no right to request a review of a decision reached on a previous review, but can refer to the Council's Complaints Procedure.

### **Safeguarding:**

As per the Council's Safeguarding Policy, the Council ensures that all relevant staff have DBS checks every three years to as part of its approach to safe recruitment and to ensure that nobody is employed who poses a risk to clients.

In addition, all contractors who seek grant funded work will have to hold DBS checks for themselves, their employees and sub-contractors. The Council realises that maintaining full and up to date DBS checks places an administrative and financial burden on contractors but believes that such a requirement is reasonable and proportionate to the risks involved in working in the homes of vulnerable people.

Contractor's employees and sub-contractors spend a lot of time in people's homes when carrying out grant funded work. In the vast majority of cases they will experience nothing which gives them cause for concern about a person's well- being; but just occasionally they may see or hear something which worries them and they may not know what to do for the best. To address this the Council intends to organise "Breakfast Briefings" in the near future (no more than two hours) at which contractors will get free training session on what to do if they are concerned about the well being of someone in a house where they are working.

**Contractor's Code of Practice (CoP):**

The feedback we receive from DFG clients is most encouraging. Nevertheless, there are a number of issues which crop up from time to time and the Council considers that it would be useful if it produced a code of practice which set out their and grant recipient's expectations of the way DFG funded works will be carried out.

The Council considers itself to be very fortunate to have a well established list of contractors who are prepared to bid for grant funded works. Few problems are encountered during the progress of a grant and the quality of work and customer service is very good. It is hoped that contractors will see the CoP in a positive light.

**Contractor Code of Conduct****CONTACT AND IDENTIFICATION:**

Contractors must make telephone contact with clients within five working days of being informed by MCC that they have successfully bid for the work.

Contractors must provide contact telephone numbers to the client which provide a means of contact during working and non- working hours

Not less than two working days before it is intended that work will commence the contractor will provide the client with the name(s) of the employees who will be carrying out the work.

All contractors and their staff shall provide proof of identity at all times when working at the client's home.

**SAFETY:**

The contractor must provide for the safety of themselves, their employees, their sub-contractors and the occupants and visitors to the home in which they are working. In particular, no materials shall be stored where they cause an obstruction to anyone living in, visiting or using the property.

All tools and equipment must be stored safely and securely outside of working hours. Internal and external walkways must be kept free of obstructions and trip hazards.

**CONSIDERATION:**

All contractors must satisfy themselves that the intended method of working will not cause unreasonable discomfort to the occupiers of the house or those living nearby.

All contractors must have regard to any vulnerability of any occupier and make appropriate adjustments to their intended method of working where necessary.



Dust sheets and floor coverings shall be used where necessary.

The use of radios and CD players is permitted subject to the agreement of the occupiers and at a level which does not cause intrusion to their reasonable enjoyment of their home.

**CARE:**

Clients who are awarded Disabled Facilities Grants are almost certain to have vulnerable adults and/or children living in their home, and this should be borne in mind by the contractor when organising and carrying out the work.

If a contractor, employee or sub-contractor is concerned about the welfare of any person in the house where they are working they should (in the strictest confidence) advise their Housing and Communities Manager without delay.

All reports will be investigated sensitively and without disclosing the referrer's identity.

**CONTINUITY:**

**It is the responsibility of all contractors to inform all employees and sub-contractors of their obligations under this code of practice.**

**END OF DOCUMENT**