



Community & Regeneration Scrutiny Committee

Briefing Paper

Report of: Sally Horne, Principal Strategic
Housing Officer

Date: 10th June 2010

Open

Temporary Accommodation Use Policy

1. Summary

- 1.1 The report provides members with an opportunity to comment upon the Temporary Accommodation Use Policy. The policy has been written to ensure that all Bed and Breakfast establishments that the Council places homeless households in, complies with a set of quality, managerial and safeguarding standards.

2. Background

- 2.1 The Council has a statutory duty to assess any household approaching the Local Authority as homeless. This duty is outlined in the Homelessness Act 2002, the Priority Needs Order and the Homelessness Code of Guidance. This legislation and guidance places various duties on the Council depending on the homeless household passing five tests of homeless; eligibility, homelessness, priority need, local connection and intentionality.
- 2.2 Any household that is deemed eligible, homeless within 28 days and in priority need are immediately owed a duty to accommodate whilst further investigations are undertaken (s188), known as "interim" accommodation. This provision is usually met by emergency accommodation e.g. Bed and Breakfast where there is only limited security of tenure in case further investigations prove that the full rehousing duty (s193) is not owed.
- 2.3 Until recently, the Local Authority placed homeless households in a range of B&B's across the district and whilst they were inspected annually under the 2002 Homeless Code of Guidance,

the authority did not have any other formal arrangements with the providers. Therefore in 2009, a procurement exercise was undertaken and in February 2010, Miscellaneous Functions Committee noted the preferred partner B&B's.

- 2.4 The Temporary Accommodation Use Policy will form part of the contract that the authority has with the preferred B&B providers and it outlines the standards that all providers are expected to adhere to.

3. Key Issues

- 3.1 Following the tendering process, which was completed in February 2010, the contracts for emergency accommodation will be awarded to the Lion Hotel, Kidderminster; The Collingdale Hotel, Kidderminster; The Olive House Hotel, Stourport; Smithy's Hotel, Birmingham and the Norfolk Hotel, Birmingham.
- 3.2 The contracts are subject to the B&B providers complying with the standards outlined in the Temporary Accommodation Use Policy which includes the service expected from each Bed and Breakfast, the management and room standards, how placements are made and the policies that providers are expected to comply to. It has been written with reference to the tender documents that were sent out during the procurement process, the 2002 Homelessness Code of Guidance for Local Authorities; Wyre Forest District Council's; Equality and Diversity Policy, Health and Safety Policy and Safeguarding Children Policy. Repeated failure to adhere to the expectations laid out in the Policy or a fundamental breach of it will allow the Council to terminate of the contract with the provider.
- 3.3 To ensure compliance with the Temporary Accommodation Use Policy, officers from Housing Services and Environmental Health will undertake quarterly inspections of the B&B premises.

4. Options

- 4.1 If the Scrutiny committee are satisfied with the attached policy, the committee are asked to recommend that the Temporary Accommodation Use Policy be approved by Cabinet.
- 4.2 Alternatively, the Scrutiny Committee are asked to recommend the Temporary Accommodation Use Policy to be approved by Cabinet subject to any amendments that need to be made to the Policy.

5. Consultation

- 5.1 Consultation has been undertaken with Community Housing, Sally Tallon, Solicitor for Contacts and Freedom of Information in Legal, Isabel Moore, Food and Safety Officer in Environmental Health and Richard Osborne, Principal Environmental Health Officer (Housing) in Private Sector Housing.

6. Related Decisions

- 6.1 Cabinet approved the Temporary Accommodation Reduction Plan in December 2009. One of the actions from this plan was to work with preferred partner B&B's to develop a set of quality standards.
- 6.2 The Miscellaneous Function Committee noted the list of the preferred partner B&B's in February 2010. The B&B's were selected following a tendering process which took place in the latter part of 2009. The Temporary Accommodation Use Policy will form part of the contract that the authority has with the preferred B&B providers.

7. Relevant Council Policies/Strategies

- 7.1 The Temporary Accommodation Reduction Plan 2009-2011
- 7.2 Wyre Forest District Council Health and Safety Policy
- 7.3 Wyre Forest District Council Safeguarding Children 2009-2011
- 7.4 Wyre Forest District Council Equality and Diversity Policy

8. Implications

- 8.1 Resources: There are no implications
- 8.2 Equalities: All B&B providers are expected to comply with the Council's Equality and Diversity policy, particularly with regards to access to accommodation and their lettings policy.
- 8.3 Partnership working: The Temporary Accommodation Use Policy will be operated in partnership with Community Housing Needs Team, the Council's Agent for the Homelessness and Housing Allocation service.
- 8.4 Human Rights: There are no implications

- 8.5 E-Government: There are no implications
- 8.6 Best Value: The procurement exercise which this temporary Accommodation Use Policy is part of will assist in the reduction in the cost of temporary accommodation for homeless households.

9. Wards affected

Not applicable.

10. Appendices

- 10.1 Temporary Accommodation Use Policy

11. Background Papers

- 11.1 2002 Homeless Code of Guidance for Local Authorities

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Temporary Accommodation Use Policy

2010-2012



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Introduction

The Council has a legal duty under Part VII of the Housing Act 1996 to provide temporary accommodation for homeless households whilst an application for housing is being assessed. This accommodation is currently provided by the following Bed and Breakfast providers:

The Lion Hotel, Lion Street, Kidderminster
The Collingdale Hotel, Comberton Hill, Kidderminster
The Olive House, Stourport on Severn
Smithy's Hotel, Birmingham
The Norfolk Hotel, Birmingham

Summary of Service to be Provided

Providers will provide rooms suitable for singles, couples and families. Rooms should have ensuite facilities with either a shower or bath. Rooms should contain a fridge, microwave and kettle.

Breakfast is to be provided – this should take the form of a continental breakfast of cereal and toast etc as a minimum. The cost of breakfast should be included in the room rate per night

The cost should also include the cost of cleaning rooms and replacing bed linen once a week.

Residents should be able to access rooms at all times, except when rooms are being cleaned and providers are expected to provide alternative accommodation during this time (for example, access to a lounge or dining room).

All providers are expected to have the following:

- An up to date fire risk assessment which has been undertaken by a certified professional that would be recognised by the Fire Service
- Current Gas Safety certificate provided by a competent person recognised by a national competency scheme
- Current Electrical Safety certificate for installation certified to a recognised national standards provided by a competent person recognised by a national competency scheme
- Current Food Hygiene Records
- A clear complaints procedure

Providers are also expected to comply with the 1974 Health and Safety at Work Act and any other relevant Health and Safety legislation and be willing to comply with the Council's equality and diversity policies. Providers, who do not have current policies, must be willing to sign up to the Council policies.

Providers must also be willing to allow quarterly inspections of their premises to ensure compliance with the contract. It is expected that Providers will have

all the documentation stated in the above section available for inspection. It should also be noted that staff undertaking inspections may ask to take copies of certificates to check with the relevant authorities.

Standards Required

Management Standards

B&B providers are expected to adhere to the following standards:

- Operators are required to ensure that the property complies with all the relevant statutory and regulatory requirements especially in relation to fire, gas, electrical and food safety
- Where an improvement notice is served, the B&B owner is expected to notify the Housing Services Department at Wyre Forest District Council of the works required and the time it will take to do the necessary works
- A clear emergency evacuation plan should be in place setting out the action upon hearing a fire alarm, escape points and fire assembly points
- Residents should have access to their rooms at all times except when rooms are being cleaned. Provision should be made to accommodate residents at all times.
- Refuse and litter should be cleared away from the property and must be contained within a refuse container
- All communal areas should be regularly inspected and cleaned
- Appropriate officers of the authority in whose district the premises are situated should have access to visit occupiers and be able to interview them in the privacy of their rooms
- A manager with day to day responsibility should be contactable at all times. A notice giving the name, address and telephone number should be in an accessible position in the property
- Procedures should be in place to deal with any complaints relating to harassment on racial, sexual or other discriminatory grounds by either residents or staff
- There should be a clear complaints procedure for the resolution of disputes between residents and staff
- Operators are expected to comply with the Council's Equality Impact Policy

Room Standards

B&B providers are expected to adhere to the following standards:

- All rooms should meet minimum space standards and only be used by the appropriate number of people for that size room
- No persons of the opposite sex over the age of 11 should have to share a room unless they are both the age of consent and partners
- All rooms should have a minimum ceiling height of at least 7ft over not less than 75% of the room area

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- Separate kitchens, bathrooms, toilets, shower rooms, ensuite rooms and communal rooms are deemed unsuitable for sleeping accommodation
- Rooms should be supplied with a fixed space heating appliance. This appliance must be capable of maintaining the room at a minimum temperature of 18c when the outside temperature -1c
- All rooms should be non smoking
- All electrical items should be P.A.T. tested and certificates should be provided to Housing Services at Wyre Forest District Council upon request
- If B&B's do not have an RCD electrical circuit, they will be expected to provide customers with a surge protector extension lead for any personal electrical items that they may use within the room
- Rooms used for accommodating homeless households should meet the following space standards:

Room sizes where cooking facilities are provided in a separate room/kitchen	
Number of Occupants	Room Size
1 person	Not less than 70 sqft (6.5 m2)
2 person	Not less than 110 sqft (10.2 m2)
3 person	Not less than 160 sqft (14.9 m2)
4 person	Not less than 210 sqft (19.6 m2)
5 person	Not less than 260 sqft (24.2 m2)
Room sizes where cooking facilities are provided within the room	
Number of Occupants	Room Size
1 person	Not less than 110 sqft (10.2m2)
2 person	Not less than 150 sqft (13.9m2)
3 person	Not less than 200 sqft (18.6m2)
4 person	Not less than 250 sqft (23.2m2)
5 person	Not less than 300 sqft (27.9m2)

Bathroom Facilities

B&B providers are expected to adhere to the following standards where ensuite facilities are not provided with the room:

- One WC should be provided per 5 people irrespective of age. It should not be more than 1 floor distance away
- A suitable wash hand basin with hot and cold water should be provided with every bedroom except where a suitable ensuite is provided
- One bath or one shower should be provided for every 5 persons. These must be of reasonable distance – not more than 1 floor distance

Reservation and Allocation of Accommodation

Bookings should only be taken from a Homeless Officer at Wyre Forest Community Housing or from the Duty Officer outside office hours. If a

household is placed by any other agency, the Council will not meet the cost of the accommodation, without prior agreement from either the duty or homelessness officer. B&B providers will be expected to establish this before accepting a booking on behalf of the Council.

Termination of Placement

Wyre Forest Community Housing will contact the B&B provider to notify them in writing of the date when the residents stay will terminate.

In the event that that B&B is unwilling to continue accommodating a household, they must notify the homelessness team at Wyre Forest Community Housing in writing, giving the reasons why they want to terminate the arrangement and the date that they propose to end the placement. The B&B provider should not terminate the placement without prior arrangement from Wyre Forest Community Housing Homelessness Team. If the B&B provider needs to terminate a placement urgently they must contact the Duty Homeless Officer to notify them of the termination and the reasons as to why they are ending the placement. The Duty Officer can be contacted on 01562 850053. The B&B will need to ensure that the homelessness team at Wyre Forest Community Housing are notified of the termination and the reasons why on the next working day.

The B&B should also notify the homelessness team at Wyre Forest Community Housing in writing if a resident does not stay at the B&B. This should be done within 1 working day. If the household does not stay at the B&B over the weekend, this should be the next available working day, e.g. Monday.

Payment

B&B providers should send invoices on a weekly basis stating:

- The name of the household staying in the room
- Invoice number
- Room number and room type (e.g. single, double or family room)
- Number of nights
- Dates of stay
- Price per room per night
- Total excl. VAT
- VAT
- Total incl. VAT

Invoices should be sent to:

Wyre Forest Community Housing, Oxford House, Oxford Street,
Kidderminster DY10 1BQ

Wyre Forest Community Housing will check the invoices and then forward to the Council for payment. If you have any queries about payments, please contact the Housing Services section on 01562 732561.

Policies

Safeguarding Policy

B&B providers are expected to comply with the Wyre Forest District Council's Safeguarding Children's Policy 2009-11. The Policy relates to 'children' and young people under the age of 18 and to vulnerable people over the age of 18. A copy of the Safeguarding Policy is available on Wyre Forest District Council's website at the following link

<http://www.wyreforestdc.gov.uk/cms/non-lgnl-pages/community-and-partnership-serv/arts-and-play-development/safe-in-our-hands.aspx> or can be obtained by contacting Housing Services on 01562 732561.

In summary the Council expects B&B providers to comply with the following principles:

- The welfare of young people is the primary concern
- All young people, whatever their age, gender, racial origin, religious belief, disability and sexual identity have the right to protection from abuse
- It is everyone's responsibility to report concerns but it is the responsibility of Children's Services and/or Police to determine whether or not abuse has taken place
- All incidents or allegations of suspicious poor practice or abuse will be taken seriously and responded to appropriately
- Confidentiality will be upheld at all times and in line with the Data Protection Act
- There is a consistent understanding of acceptable behaviour of young people towards other young people within the establishment (please see appendix F of the Safeguarding Children policy for more details)
- Discrimination, prejudice and oppressive behaviour or language is unacceptable within the service.

All providers are expected to ensure that all employees coming into contact with young and vulnerable people complete the Self Declaration Form in appendix A of this document. Failure to comply, will mean termination of the contract.

Health and Safety Policy

All B&B establishments are expected to comply with the relevant Health and Safety legislation. This should include the Health and Safety at Work Act 1974.

Equality and Diversity Policy

All B&B establishments are expected to comply with the equalities legislation, particularly in letting their rooms and also should comply with Wyre Forest District Council's Equality Policy which is in Appendix B of this policy. If the establishment has its own equality and diversity policy this should be sent to Housing Services at the address given above.

Furniture and Furnishings

All B&B establishments are expected to comply with principals contained within the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended in 1989 and 1993) to ensure that Furniture and Furnishings used is safe and fit for purpose. More guidance can be obtained from Trading Standards or relevant trade bodies.

Houses in Multiple Occupation

Where Bed and Breakfasts accept residents either wholly or partly who have no other principal home e.g. Homeless Households they are likely to be classed as a House in Multiple Occupation and the management regulations governing these will apply (a copy is attached at Appendix C). The requirement for amenities will also need to comply and these are attached at Appendix D.

Appendix A: Safeguarding Children Self-Declaration Form



Self Declaration Form External service providers/temporary employee

The reason for seeking this information is to enable WFDC to ensure the suitability of the person to:

- work with young people
- work in close proximity to young people whilst carrying out their duties
- provide services for WFDC

The term 'young people' refers to those under the age of 18 and vulnerable adults over 18.

You have a right of access to information held on you and other rights under the Data Protection Act 1998.

Wyre Forest District Council will only collect and process personal information provided on this form for no other purpose than for the purpose of safeguarding children.

This disclosure is strictly private and confidential and will be kept secure in line with CRB procedures and destroyed after 3 months.

Part A

Name of Organisation.....

Title:	First Name:	Surname:	Any previous name by which you may have been known:
Address:			
Postcode (must be completed):			
Telephone number(s):			
Email address:			

DATE OF BIRTH

--	--	--	--	--	--

SEX

M	F
---	---

Position held:

Start Date:

Enhanced CRB: Date of Issue

.....
Number

Line Manager to sign that they have seen CRB

Part B

Self-declaration (for completion by the individual named in Part A)

1. **Have you ever been convicted of any criminal offences? YES/NO***

If YES, please supply details:

.....

Note: You are advised under the provisions of the Rehabilitations of Offenders Act 1974 (exceptions) order 1975 as amended by the Rehabilitation of Offenders Act 1974 (Exceptions Amendment) Order 1986, you should declare all convictions including 'spent' convictions

2. **Have you ever been convicted of an offence (formal warnings, cautions or bound over orders? YES/NO***

If YES, please supply details:

.....

3. **Are you a person known to any Children's Services department as being an actual or potential risk to young people? YES/NO***

If YES, please supply details:

.....

4. **Have you had a disciplinary sanction relating to child abuse? YES/NO***

If YES, please supply details:

.....

*Delete as appropriate

IMPORTANT

- I have read and understood the information leaflet regarding WFDC Safeguarding Children Policy. I hereby consent to WFDC undertaking CRB Disclosure if required.
- In the event of a positive disclosure, I hereby consent to WFDC making enquiries with statutory services such as Police, Children's Services and Probation Service to facilitate the risk assessment.
- I undertake to inform the Safeguarding Advisor at WFDC if I am subsequently arrested or investigated in relation to any child welfare matter.
- Refusal to sign this form may result in the termination of any planned activities/events with the person representing the organisation and/or organisation.

Signed by the above named individual

Print name: Dated

Appendix B: Wyre Forest District Council Equality and Diversity Policy

1.0 Statement of intent

Wyre Forest District Council (The Council) recognises and celebrates the diverse nature of the people who live, work in and visit the Wyre Forest District and who work for the Council, its partners and contractors.

The Council:

- 1.1 Is guided by its core value that people will be treated fairly and according to their needs;
- 1.2 Supports and promotes equality of opportunity in employment and service delivery;
- 1.3 Will endeavour to treat all people equally and fairly whether they are:
 - current or past employees of the Council
 - seeking employment with the Council
 - users or potential users of the Council's services
 - contracting to supply services or goods to the Council
 - seeking assistance from the Council;
- 1.4 Will seek to eradicate all forms of unlawful or unfair discrimination on the grounds of age, disability, gender, race, religion or belief, or sexual orientation;
- 1.5 Accepts that it has a unique and influential position in the community as a major employer and quality service provider. It also accepts that it has a moral obligation to bring about positive change through its extensive contact with the community and its grant-aiding powers for community organisations;
- 1.6 Acknowledges without reservation its legal duties under the legislation listed in Appendix 3 and will:
 - interpret its powers and duties in accordance with the legislation
 - not act in any way which is incompatible with the legislation
 - make all policy and procedural decisions in accordance with the legislation;
- 1.7 To fulfil our commitment we will establish, deliver and keep under review a programme of actions with reference to the following guiding principles. We will:
 - develop internal performance measures that help to ensure continuous improvement.
- 1.8 The Council will regularly review and comprehensively monitor the results of this commitment which will be demonstrated through its

programme of action;

1.9 The Council will commit resources to deliver this Equality and Diversity Policy and the actions identified in the Equality Action Plan.

1.10 The Council is committed to:

People of different ages

- Tackling ageism both as an employer and as a service provider.
- Recognising the value of employing a workforce of diverse ages and continuing to provide equality of opportunity and good relations for all its employees.
- Encouraging older and young people to be involved in the decision
- Making process of Council policy by improving and developing
- Community engagement and involvement and targeting specific groups.

Disabled people

- Removing barriers which prevent people with disabilities from using the Council's services or working for the Council.
- Involving people with disabilities in the planning and shaping of services and policies.

Gender

- Tackling sex discrimination by supporting those who experience inequality and discrimination.
- Continuing to provide flexible working arrangements for employees with childcare or dependant adult responsibilities and working with its partners to tackle domestic violence.
- People from different racial groups
- Challenging all forms of racial discrimination.
- Developing policies and procedures to give people from ethnic minority groups fair and equal access to employment and Council services.

Religion or belief

- Respecting the rights of employees and individuals not to be discriminated against because of their religious or non-religious beliefs.
- Sexual Orientation
- Recognising that lesbians, gay men, bisexuals and transgender people may be discriminated against because of their sexuality.
- Providing fair and equal access to services and employment opportunities.
- Tackling all forms of discrimination.

2.0 Roles and responsibilities

All Councillors, employees and others who work on behalf of the Council have a duty to promote equality and diversity and to carry out the requirements and responsibilities outlined in this policy. Particular responsibilities include:

2.1 The Chief Executive is responsible overall for the monitoring and review of this Policy. The Head of Human Resources is responsible for ensuring that the Council's employment practices are consistent with this policy.

2.2 All Elected Members will:

- Be familiar with the Council's Equality and Diversity Policy and understand the extent to which it has an impact on their role
- Observe and promote the policy in the performance of their roles and duties
- Ensure adequate resources are available for the Council to meet its legal responsibilities concerning equality of opportunity
- Contribute to the scrutiny of equality work as required and drive forward change through the relevant Committees, panels or working groups.

Equality and Diversity is within the portfolio of the Cabinet Member for Corporate and Customer Services, whose role is to champion equality and diversity issues.

2.3 Individual directors and service managers are responsible for ensuring that services are provided in accordance with this policy and that all employees for whom they are responsible are familiar with, and act in accordance with, this policy. Particular responsibilities include:

- Actively promoting equalities and providing leadership within their service areas through demonstrating good equalities practice
- Implementing and monitoring the effectiveness of equality policies and actions in their service areas.
- Identifying training needs and providing appropriate training opportunities ensuring that all employees have equal access to training within the budget available
- Ensuring that contractors and others working on behalf of the Council are aware of the Council's equality and diversity policy and are committed to meeting those standards in discharging their duties on behalf of the Council
- Ensuring that partnerships which the Council supports meet the standards of the Council in terms of equal opportunities
- Ensuring that appropriate resources are allocated through the Business Planning process in relation to equalities.

- 2.3 All employees of the Council have a personal obligation to:
- Work towards the promotion of equal opportunities in all Council and other community activities
 - Challenge discrimination
 - Promote access to information and services
 - Provide opportunities for all, and
 - Adhere to this Policy.
- 2.5 Conduct which is not consistent with this Policy or relevant legislation will be considered a disciplinary matter, which may in some cases lead to dismissal.

3.0 Legal framework

The Council's commitment to equality and diversity is underpinned by the following legislation: -

- Civil Partnership Act 2004
- Disability Discrimination Act 1995
- Disability Discrimination Amendment Act 2005
- Employment Equality (Age) Regulation 2006
- Employment Equality (Religion or Belief) Regulation 2003
- The Employment Equality (Sex Discrimination) Regulations 2005
- Employment Equality (Sexual Orientation) Regulation 2003
- The Equality Act (Sexual Orientation) Regulations 2007
- Equality Act 2006
- Equal Pay Act 1970 (Amended)
- Gender Recognition Act 2004
- Human Rights Act 1998
- Race Relations Act 1976
- Race Relations Amendment Act 2000
- Race Relations Act 1976 (Amendment) Regulation 2003
- Racial and Religious Hatred Act 2006
- Sex Discrimination Act 1975
- The Sex Discrimination (Gender Reassignment) Regulations 1999

4.0 Employment

To ensure that the Council achieves its corporate value of Valuing Employees, it will:

- 4.1 Be a fair and equal opportunity employer in all areas of employment, including recruitment and selection, and career development, ensuring that individuals are selected and promoted according to their relevant merits and abilities;
- 4.2 Develop and regularly review an Equal Pay Policy;

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- 4.3 Ensure that all employees, elected members and members of the community involved with recruitment are appropriately trained to avoid unlawful discrimination;
- 4.4 Ensure that no job applicants receive less favourable treatment, unless there is a genuine occupational requirement for a restriction being placed on a particular post (This would only be applied when all other employment options had been excluded);
- 4.5 Draw job applicants from the wider labour market to ensure that a diverse range of job seekers is made aware of the opportunities with the Council. This will be achieved by communicating job opportunities to all sections of the community without discriminating or discouraging applications from any particular section;
- 4.6 Make this Policy available to all job applicants and existing employees, Members and relevant organisations;
- 4.7 Take positive action wherever practicable to retain and redeploy existing employees who become disabled or who, on account of changes in personal circumstances, are unable to continue in their existing jobs;
- 4.8 Take all complaints from employees regarding discrimination, victimisation or harassment seriously by ensuring such incidents are investigated thoroughly and promptly. Under the Council's disciplinary procedure breaches of this policy, including serious acts of harassment, victimisation, discrimination or verbal abuse against employees, clients or members of the public on grounds of age, disability, gender, race, religion or belief, and sexual orientation will normally be regarded as gross misconduct and could lead to dismissal;
- 4.9 Ensure all employees are treated fairly and equally in terms of conditions of employment and contractual rights;
- 4.10 Seek advice from external support programmes within the Employment Service in relation to opportunities and services available for people with disabilities;
- 4.11 Ensure its commitment to equality in all aspects of employment, recruitment selection, career development, training and promotion is maintained and that procedures, practices and records are monitored and evaluated accordingly;
- 4.12 Ensure as far as possible that the composition of our workforce reflects that of the local community and to take any steps permitted by law to help disadvantaged and under-represented groups to compete for jobs on a genuine basis of equality;
- 4.13 Ensure that all job applicants and employees receive the help they need to attain their full potential to the benefit of the Council and

themselves;

- 4.14 Continually monitor and seek the views of employees from minority groups;
- 4.15 Undertake and maintain monitoring and regular analysis of internal records providing a basis for appropriate action to eliminate unlawful discrimination, harassment or victimisation in the following areas:
- Recruitment and selection procedures
 - Work force profiling
 - Training and development opportunities
 - Disciplinary and grievances cases
 - Employees leaving the Council and their reasons for doing so
 - The percentage of employees declaring that they meet the Disability Discrimination Act disability definition as a percentage of the total workforce
 - The percentage of employees from ethnic minorities as a percentage of the total workforce
 - The percentage of senior management posts filled by women
 - Ill health retirements as a percentage of total workforce
 - Early retirements as a percentage of the total workforce;
- 4.16 Ensure that all employees receive equality and diversity training;
- 4.17 Establish strong links with Trade Unions, managers and employees in order to consult regularly and effectively when major employment policy is developed and reviewed.

5.0 Equality in Service Provision

The Council will:

- 5.1 Ensure its approach to customer service, quality and equality is relevant to all services and involves all employees who will be appropriately trained to avoid discrimination and stereotyping;
- 5.2 Equip employees with the skills, knowledge and competencies to provide service in a flexible and sensitive manner encouraging good communication between employees and customers;
- 5.3 Increase understanding of the different needs of all people in the community through the development of community profiling and the use of more effective consultation;
- 5.4 Seek to serve all its customers and potential customers equally, fairly and with respect and ensure that its policies and procedures do not discriminate unlawfully against any individual or group of people;

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- 5.5 Seek to avoid discrimination when designing, delivering or charging for services;
- 5.6 Ensure that, wherever practicable, all public buildings and premises owned or occupied by the Council have access and other facilities for people with disabilities;
- 5.7 Seek to respond to any special need requirements of any particular groups;
- 5.8 Actively seek the views and opinions of all groups which experience discrimination and disadvantage in matters relating to service planning and delivery;
- 5.9 Work to remove all cultural and linguistic barriers that may confront our customers whose first language is not English;
- 5.10 Ensure that the procurement of goods and services:
 - Is undertaken by contractors, suppliers and partners without unlawful discrimination in line with the Council's procurement standards
 - Includes all relevant standards and recognised national guidelines
 - Positively addresses all equality issues during the tendering and selection
 - Procedure is monitored regularly to ensure that its equalities standards are being met;
- 5.11 Incorporate the local implementation of the above principles into the Council's Business Planning process.
- 5.12 As part of our commitment to maintaining and improving our performance we will:
 - Develop sensitive and appropriate equal opportunity monitoring systems to identify core service take-up by age, ethnicity, disability and gender.
 - Develop realistic qualitative and quantitative performance indicators and outcomes which are specific, measurable and time-tabled for service delivery;
 - Monitor the customer complaints procedure to identify complaints made by age, disability, ethnicity and gender.

6. Working with partners and contractors

- 6.1 In all aspects of partnership working the Council will encourage its partners, from whatever sector, to work with the Council to support the principles of this equality and diversity policy. Equalities practice within partnerships will be monitored and examples of good practice shared with all partners on a regular basis.

- 6.2 As a major purchaser of goods and services the Council will operate fair contracting and procurement policies that monitor compliance with equality requirements and will encourage and support contractors to develop best practice in equality.

7. Equality target groups

- 7.1 The Council will continue to develop relationships with existing potentially disadvantaged groups which are diverse and dispersed throughout the district. The Council is committed to making contact and developing relationships with hard to reach groups and organisations representing potentially disadvantaged groups.
- 7.2 In particular the Council is committed to identifying groups within the community whose needs are less well met by council services than those of other groups. Having identified such needs the Council will take steps to address them.

8. Equal access to information and services

- 8.1 The Council is keen to ensure that everyone has access to the information they need at the time that they need it and improving communication is central to this.
- 8.2 Information to customers is available through our Customer Services centres in Kidderminster, Bewdley and Stourport-on-Severn.
- 8.3 Information can be provided by telephone and is available from the Council's website.
- 8.4 Working in partnership with Worcestershire County Council translation services are available in a range of community languages and other formats:
- Documents can be converted to larger print
 - Ethnic Access Link, a translation service subscribed to by the Council, is signposted on publications & in customer service centres.
 - Induction loop facilities are available at several buildings used by the public.

9. Making a complaint

- 9.1 The Council takes complaints about the services it provides or about the people it employs seriously and has a well-established corporate complaints procedure for dealing with any type of complaint from members of the public or outside bodies. This procedure is fully accessible to all members of the community.

9.2 In relation to complaints from employees, the Council has developed the following procedures with which to support an employee's concern:

- Grievance Procedure
- Confidential Reporting Policy (Whistleblowing)
- Harassment Policy & Procedure

9.3 All complaints will be properly and fully investigated within an agreed timescale and people who have raised complaints, whether members of the public or employees, will be informed of any conclusions reached.

10. Consultation

10.1 The Council aims to build on its established methods of consultation and remove barriers to participation by providing information to the community in the following ways:

- Customer satisfaction surveys
- Working parties and focus groups
- Road shows
- Citizens Panel
- Newsyre
- Online polls & questionnaires
- Press releases & public notices

10.2 As part of the assessment and policy development process the Council will conduct structured consultation with employees, the community, partners and stakeholder groups.

10.3 The Council will also work to improve its ability to target and consult with under-represented groups in the community.

11. Self-assessment, equality targets and service planning

11.1 The Council is committed to reviewing the functions and services it provides to assess whether they are compliant with the legislation, directives and Codes of Conduct and is aiming towards best practice in equalities. The Council will actively use the guidance outlined in the Equality Standard for Local Government to audit each of its service areas. This process will involve employees from all the Council's service areas.

11.2 The evidence gathered will form the basis of the actions required to address any adverse impact identified. Equality priorities which are identified as a result of self-assessment will be set out in the Equality Action Plan. The Council intends to identify specific equality targets on an annual basis and make sure they are delivered at both a Corporate and a departmental level.

11.3 Individual service-orientated actions arising from the self-assessments will be identified annually during the service business planning process.

12. Monitoring and evaluation

12.1 The Council will monitor and review all service delivery plans, policies, practices and procedures and address any areas of inequality in accordance with latest legislation, best practice and the Council's own Performance Management Framework.

12.2 Monitoring activity includes:

- Identifying possible inequalities associated with relevant policies or functions;
- Investigating the underlying causes of these inequalities;
- Taking action to remove any unfairness or disadvantage.

WYRE FOREST DISTRICT COUNCIL

HOUSES IN MULTIPLE OCCUPATION POLICY 2008

1.0 BACKGROUND

- 1.1 This Policy responds to the new legislation on Houses in Multiple Occupation (HMO) and sets the policy for licensing under the Housing Act 2004. Further this Policy and HMO Licensing replaces the existing registration scheme.
- 1.2 House in Multiple Occupation is defined as '*a house which is occupied by persons who do not form a single household and who share one or more facilities*', typical dwellings include shared houses, bedsits and hostels. The exact definition is described by standard tests detailed in S.254 Housing Act 2004.
- 1.3 The risk to health and risk of death and injury from fire is greatly increased in this type of dwelling and persons who live in such properties tend to be more vulnerable than persons in other types of accommodation. The Government has therefore introduced a mandatory licensing scheme for certain types of HMO and has also introduced standards specific to these properties over and above those expected of normal rented dwellings.
- 1.4 We aim to ensure that the occupiers of Houses in Multiple Occupation live in safe and healthy homes by providing advice, education and where appropriate enforcing the relevant provisions of the Housing Acts. We are taking a proactive approach by actively identifying and inspecting HMO's in the district.
- 1.5 We recognise that good quality, well managed HMO's provide a valuable source of accommodation for many single people some of whom are unable to access any other type of housing.
- 1.6 A recent office based survey of potential HMO's revealed that Wyre Forest has at least 20 licensable properties and approximately 50 other HMO's that are of note. There are other properties that fall under the definition of HMO but are covered by other legislative provisions, for example care homes.
- 1.7 The survey also indicates that most of the HMO stock already has fire precautions in place and have had advice and information on relevant standards from the Council and the Fire Service.

- 1.8 The Government's decent homes targets places a responsibility on Local Authorities to ensure that 70% of private sector homes occupied by vulnerable residents meet the Decent Homes Standard. It is therefore essential that the vulnerable residents of HMO's are actively supported by the Council using the powers made available through the legislation and through discretionary financial assistance to improve standards where appropriate.
- 1.9 This policy works alongside the Housing Enforcement Policy and the Private Sector Housing Assistance Policy. This is in recognition that there is a balance between assistance and enforcement that needs to be considered in the methods used to improve or maintain standards.
- 1.10 The use of specific provisions relating to HMO's, for example licensing, is in addition to the enforcement powers under the Housing Act 2004, Housing, Health and Safety Rating System (HHSRS). This system for assessing properties identifies significant hazards, considers the risks associated with them and guides towards appropriate potential actions, including the use of formal notices to improve conditions or prohibit circumstances. Further details are contained in the Housing Enforcement Policy.
- 1.11 The Council actively liaises with the Hereford and Worcester Fire Service in considering appropriate fire precautions to require in particular properties. The Council also uses relevant British Standards and other guidance as models for standards where appropriate, for example British Standard 5839 Part 1 and Part 6, Fire Detection and Alarm Systems.

Related Policies:

- 1.12 This policy works alongside the Wyre Forest District Council Private Sector Housing Assistance Policy and the Housing Enforcement Policy.

Relevant Legislation and Regulations:

- 1.13 The Housing Act 2004
The Housing Act 1985
The Management of Houses in Multiple Occupation (England) Regulations 2006.
The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006.
The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006.
The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006.
The Regulatory Reform (Fire Safety) Order 2005
The Furniture and Furnishings (Fire)(Safety) Regulations 1988
The Gas Safety (Installation and Use) Regulations 1998

Electrical Equipment (Safety) Regulations 1994

- 1.14 The Housing Act 2004 brought in a new system of regulation for fire safety in existing residential premises by way of the housing health and safety rating system (HHSRS), licensing provisions for houses in multiple occupation (HMOs) and management regulations for HMOs. In practice the HHSRS is the principal tool used to assess and regulate fire safety standards, but HMO licensing conditions will reflect HHSRS assessments. The responsible person for the purposes of fire safety provision and maintenance at the residential accommodation is the person having control – usually the landlord or manager
- 1.15 Alongside the Housing Act 2004, the Regulatory Reform (Fire Safety) Order 2005 introduced duties in relation to fire safety in common areas of HMOs. The duty is placed on the responsible person, who is required to carry out a risk assessment and take specific action to minimise the risk of fire in the common parts. The ‘responsible person’ means ‘the person having control of the premises in connection with the carrying on of a trade, business or other undertaking’. In practice this will usually be the landlord, but in the case of absentee landlords where ‘the carrying on of the business’ is undertaken by a managing agent. These provisions are enforced by fire and rescue authorities.

2.0 IDENTIFICATION AND INSPECTION

- 2.1 Potential HMO premises are identified through Council records, housing surveys and from local information. The details of these properties are added to a premises database. Local Housing Authorities have powers to obtain information from benefit and tax records to assist with the functions under the Housing Act 2004.
- 2.2 Licensed HMOs will have certain details regarding the property and licence holder held on a public register, available upon request to the public and the Government who monitor the Council’s activities in relation to HMOs through the Office of the Deputy Prime Minister (ODPM).
- 2.3 Details of the legislation regarding HMOs, the licensing scheme and landlord and tenant advice can be found on the ODPM website, www.odpm.gov.uk
- 2.4 Following identification or as part of the scheduled routine inspection under the licensing system, HMOs shall be inspected in accordance with the Health and Housing Safety Rating System set out in the Housing Act 2004 and assessed for compliance with standards set out in regulations made under the Act. Notification of any required improvements will be issued to the owner or person responsible.

- 2.5 Lower risk properties based upon an assessment of fire risk and occupation, will not be subject to routine inspection if they meet the required standards. Other inspections shall be considered and planned on a risk based approach.

3.0 HMO LICENSING

- 3.1 HMO dwellings that comprise three or more storeys with five or more occupants and where one or more facility is shared will be subject to mandatory licensing. Persons who fail to licence premises or fail to comply with licence conditions commit an offence. Licences will be valid for five years, providing all the relevant conditions are met. The licence may not be transferred to another person.

- 3.2 The legal description of what constitutes a licensable House in Multiple Occupation is detailed in an order made under the Housing Act 2004 entitled: *The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2006*.

- 3.3 Offences and appeals under these provisions will be heard by a Residential Property Tribunal (RPT) who can judge cases relating to offences make fines and order the repayment of up to twelve months rent back to tenants and in the case of Housing Benefit back to the Council.

- 3.4 Applications for a HMO Licence must be made to Wyre Forest District Council in writing on the requisite form. The Council may vary or revoke a licence in accordance with the Housing Act 2004 S.69.

- 3.5 Licenses may be granted when the Council is satisfied that the house:

- i) is reasonably suitable for occupation,
- ii) has adequate management arrangements,
- iii) the proposed licence holder and/or manager is a fit and proper person.

- 3.6 In deciding if the house is reasonably suitable for occupation the Council shall have regard for the number of persons occupying the dwelling and whether the property complies with statutory and local prescribed standards for fire safety, overcrowding and the provision of amenities.

- 3.7 In deciding if the house has adequate management arrangements the Council shall have regard for the system in place for collecting rents, undertaking repairs, and controlling anti-social behaviour.

- 3.8 In deciding that the licence holder and/or manager is a fit and proper person the Council shall in particular have regard to whether that person:

- i) is appropriate and competent to carry out that function.
- ii) has committed any offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003.
- iii) has practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business.
- iv) has contravened any provision of the law relating to housing or of landlord and tenant law;
- v) has acted otherwise than in accordance with any applicable code of practice approved under section 233 Housing Act 2004.

- 3.9 Applicants are required to provide a criminal records bureau disclosure or other form of personal check together with their application.

Licence Fee

- 3.10 The Council is able to charge a reasonable fee to cover costs associated with the licensing scheme. The fee has therefore been determined taking into account the various administrative, inspection, assessment and liaison costs involved over the 5 year period. The fee is £500. There will however be a reduction to only £300 if the application provided is full and satisfactory given that this will reduce costs for the authority.

Enforcement Charges

- 3.11 Distinct from the licensing fee, should separate enforcement action be needed, a charge of £50 will be incurred for an inspection and report where contraventions are identified. In addition any investigation costs will also be charged, for example specialist contractors used for gas and electric assessment. The Licence fee includes for one inspection and report in the 5 year licence period.
- 3.12 The above fees and charges will apply from April 2006 and be reviewed annually.

Temporary Exemption

- 3.13 An owner or manager of a HMO may apply to the Authority for a Temporary Exemption Notice (TEN). If a TEN is granted the HMO is exempt from licensing and accordingly the owner or manager does not commit the offence of operating an HMO without a licence. A TEN can only be granted for a maximum period of three months, but in exceptional circumstances the Authority may issue a second TEN. Temporary exemption from licensing may be granted to landlords that wish to change the use of a dwelling to that other than a HMO.

Selective/Additional Licensing

- 3.14 The Housing Act 2004 and regulations made thereunder make provision for additional or selective licensing. This means that other HMOs and rented accommodation can be brought into a licensing scheme. However this can only be done in certain very limited circumstances through the approval of the Secretary of State and when demonstrated that a significant impact would be made upon anti-social behaviour for example. The current circumstances in the District do not warrant and would not therefore be successful in an application for selective/additional licensing. This situation will be kept under review. It is anticipated that the Government may extend the scope of licensing in due course following a review of the scheme. Any further developments will be reported upon and this Policy considered for amendment.

Licence Procedures and Appeals (Schedule 5 Housing Act 2004)

- 3.15 The applicant or any relevant person may appeal to a Residential Property Tribunal against a decision made by the Local Housing Authority to refuse to grant the licence, or to grant the licence, (in relation to licence conditions) to vary or revoke a licence, or to refuse to vary or revoke a licence.
- 3.16 Appeals must usually be made within 28 days from the notification of decision. The Residential Property Tribunal may allow a late appeal if it is satisfied that there is good reason for the failure to appeal before the end of that period.

Licence Conditions

- 3.17 A licence may include such conditions, as the Council considers appropriate for management use and occupation of the house. Any required improvement, alteration or repairs to the house such as structural works or installation of fire detection system will be enforced separately but must be satisfactorily completed within the first licence period.

3.18 All licences will require at least the national minimum standards set out in regulations under the Housing Act 2004. These regulations are:

1. The Management of Houses in Multiple Occupation (England) Regulations 2006.
2. The Licensing and Management of Houses in Multiple Occupation and other Houses (Miscellaneous Provisions) (England) Regulations 2006.

Additional Licence Conditions

3.19 In addition to the standards set out in the above regulations, the Council also specifically requires the annual submission of the following:

1. Copies of safety certificates, details of occupation, works carried out in the past 12 months and works planned for the coming 12 months.
2. A copy of the building insurance certificate.
3. Copies of the fire precautions maintenance records and safety certificate.
4. Copies of any new tenancy agreements
5. Any amended or new details for the landlord, manager, emergency contact, key competent contractors used.

4.0 **STANDARD FIRE PRECAUTION REQUIREMENTS FOR HOUSES IN MULTIPLE OCCUPATION**

Fire Detection and Warning System

4.1 The purpose of the alarm system is to alert occupants and enable them to move to a place of safety whilst the escape routes are clear of smoke. An assessment of the fire risks must be undertaken to identify the precautions required at the property. In buildings that are considered high risk or those that have a complicated layout consultation with the fire officer may be required.

Standard Installations

4.2 Two storey dwellings - interlinked domestic type smoke and heat detection, incorporating battery back up, hush buttons and hardwired in the 240volt mains electrical supply all in accordance with BS5446 and BS 5839 part 6 grade D.

4.3 Three and four storey dwellings with half-hour resistant construction - fire detection and alarm system incorporating call points, sounders, smoke and heat detection. The design of the system to be in

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accordance with current British Standard 5839: Part 1 Type L2 and should include a two stage pre-alarm.

- 4.4 Three and four storey dwellings with one hour resistant construction (purpose built flats and flats converted with benefit of Building Regulation approval after 1992) - fire detection and alarm system incorporating call points, sounders, smoke and heat detection to escape routes and lobby of each dwelling British Standard 5839: Part 1 Type L2/L3. Together with an interlinked domestic type system within all flats to BS 5839 part 6 grade D.
- 4.5 Mixed occupation dwellings may require a variation to the British Standard whereby all the rented accommodation is protected by an L2 system and the owner occupied areas are protected by a domestic type system. Owners should be made aware of the benefits of being included on a whole property system.

System Requirements

- 4.6 Should at any time the alarm system be inoperable a temporary warning system such as battery operated alarms must be provided. The Landlord or responsible person should have in place a maintenance system to resolve alarm system faults within 8 hours from discovery.
- 4.7 The alarm should be loud enough to wake everyone in the dwelling, a minimum sound level of 75dB(A) should be achieved at the bed head and 65dB(A) in all other areas. Occupiers with hearing difficulties should be provided with a proprietary warning device.
- 4.8 The use of radio transmitter type systems will only be accepted following a manufacturers site survey to establish suitability and submission of an agreed maintenance program.
- 4.9 Following installation Landlords, responsible tenants and agents must be trained in the use and testing of the system and a log of system maintenance must be kept

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Type	Alarm Type	Emergency Lighting	Call Points	Fire Doors
Two storey 5 or less occupants (none vulnerable)	BS5839 part 6 LD2 grade D system with BS5446 interlinked detectors, smoke to escape routes and heat in kitchens.	No	No	Kitchen
Two storey 6 or more occupants	BS5839 part 6 LD2 grade D system with BS5446 interlinked detectors, smoke to escape routes and heat in kitchens, additional smoke detection in bedrooms may be required.	No	No	Kitchen and bedrooms
Three and four storey with shared facilities	BS 5839: Part 1 Type L2 (or Part 6 LD1/2 grade A system) to escape route common areas kitchens and bedrooms.	Yes	Yes	Above plus all doors to risk rooms on escape routes.
Three and four storey self contained flats (poorly converted)	BS 5839: Part 1 Type L2 to escape route common areas kitchens and bedrooms. (BS 5839 part 6 grade D interlinked detectors within some flats may be used).	Yes	Yes	All main entrance doors plus all doors to risk rooms on escape routes.
Purpose built flats with one hour fire resistant construction. Flat in multi occupation.	BS 5839: Part 1 Type L3 to escape route and lobbies. Within flats system designed to BS 5839 part 6 grade D.	Yes	Yes	All main entrance doors plus all doors to risk rooms on escape routes.

Emergency and Escape Lighting

- 4.10 Escape lighting is the normal natural or artificial lighting normally used to aid safe escape. The normal lighting should provide suitable levels of light together with accessible switches with sufficient time delay to allow safe egress.
- 4.11 Emergency lighting operates automatically when the normal lighting fails in order to aid safe escape. Luminaires to be minimum 1 hour maintained (on all the time) or non-maintained (activate on failure of normal lighting) units and conform to BS 5266: Part 1. Units can be standalone or be incorporated into normal light fittings, units to be mains charged with integral battery.
- 4.12 The requirements for emergency lighting should take into consideration the complexity of escape route, the size of the dwelling and the risk to occupiers. Other issues such as borrowed light have a bearing on the siting and number of emergency lights.
- 4.13 The emergency lighting system should be designed to cover escape routes, exits, corridors, stairway enclosures and changes in floor level and direction. One or two units may be sufficient for small dwellings with a straightforward escape route larger dwellings will require the input of a design engineer and the Fire Officer.
- 4.14 Emergency escape route lighting will automatically illuminate upon the failure of the power supply to the conventional artificial lighting, when it must;
- Illuminate the escape route to assist the occupants to move easily to exits and a place of safety
 - Highlight any hazards such as stairs and changes in floor level or direction
 - Enable easy identification of any fire alarm call points and fire fighting equipment throughout the escape route
- 4.15 Luminaires should be mounted close to two metres above floor level but not lower than two metres and should be sited in the following positions;
- Near any intersection or corridors
 - Above each final exit door
 - Near each change of direction (other than on a stairway)
 - Within each stairway so that each flight of stairs receives direct light
 - Near any change of floor level
 - Outside any secondary escape exit if the street lighting is poor
 - Near each fire alarm call point
 - Near fire fighting equipment

Near is normally considered to be within two metres when measured horizontally.

- 4.16 In HMOs (except smaller shared houses) a dedicated lighting circuit should be installed so that the use of any one switch/control anywhere along the route will illuminate the entire escape route. In large properties where the escape route is divided into distinct, separated sections each section may have its own control provided it is obvious and visible under all conditions. In such cases (and where there is no borrowed light to the route) the switches themselves should be illuminated. The rule is that it should never be necessary to search for switches.
- 4.17 If push button slow release lighting switches are to be used careful consideration must be given to their duration setting. The rule is that people should never be plunged into darkness while using the route
- 4.18 Theft of light bulbs from common areas is a problem experienced in some properties. Bulb holders with a different fitting to those within the accommodation units should be used.

Fire Doors

- 4.19 Fire door assemblies are required in doorway openings in fire resisting construction and for the protection escape of routes.
- 4.20 Doors on escape routes and to risk rooms to be certified 1/2 hour fire resisting (FD30s/E30/BWF) and hung with three 1/2 hour fire rated hinges with a maximum gap of 4mm between the door and frame. The doorframe must be either certified 1/2 hour fire resisting or of substantial construction fitted tight and securely to supporting walls.
- 4.21 Where fire resisting partitions are required, any doorways within them must be fitted with fire resisting door assemblies providing fire resistance at least to the same standard as the requirement for the partition itself, so 30 minute partitions will require a 30 minute fire resisting door and 60 minute partitions a 60 minute fire resisting door.

30 minute door sets are specified as FD30 (or E 30)

60 minute door sets are specified as FD60 (or E 60)

A letter 'S' after the figure (e.g. FD30S) or 'Sa' (e.g. E30 Sa) denotes a requirement for smoke seals to be fitted so as to restrict the passage of smoke including cold smoke

- 4.22 All fire doors must incorporate intumescent heat and smoke seals to jambs and door head, seals to comply with BS EN 1634, BS 476-22 or BWF certified. All fire doors (except those to lockable cupboards and voids) to be maintained effectively self closing by a certified 1/2 hour fire rated self-closing device that will effectively fully close the door from any angle, closing devices to comply with BS EN 1154 or BS EN 1634-2.

- 4.23 Doors to be installed in accordance BS 8214 : 1990 so that they are close fitting all round but remain readily operable by the occupants. Door locks must be readily operable from inside rooms without the use of a key. Fire door letterbox openings to be lined with proprietary intumescent seal. Specialist and electrical door closing systems to be approved by the local Fire Authority.

Fire Fighting Equipment

- 4.24 In kitchens provide a 1m x 1m, BS EN 1869 : 1997 compliant, fire blanket which should be of 'light duty' type which are capable of dealing with small fires such as cooking fires or fires involving clothing and be mounted on the wall approximately 1.5m high and closer to the room exit than the cooking facility. Also a suitably located 1kg ABC, BS EN 3 :1996 compliant, type dry powder extinguisher.
- 4.25 In circulation areas provide a 13A rated 9ltr pressure water extinguisher, BS EN 3:1996 compliant, for each 200m² floor area or 1 extinguisher on each floor.
- 4.26 Site fire fighting equipment close to fire risks in a conspicuous position but without causing an obstruction, heavy extinguishers to be hung 1metre from floor level and lighter extinguishers 1.5metres from floor level, or at a level to suit the occupant. They should be in a position that does not obstruct the escape route, be close to the exit position from each floor, not obstruct opening doors or located in recesses out of site. They should also be away from heaters or areas where they may be subject to damage.
- 4.27 Fire fighting equipment should be visually checked weekly for correct siting and faults, a full engineer service to be undertaken annually and recorded on maintenance tags.

Inspection and Testing

- 4.28 All apparatus and devices provided for fire safety must be maintained in working order. The landlord must ensure that they (or a responsible person) undertake regular inspections and servicing is undertaken and any defects rectified immediately.
- 4.29 It is good practice to test the alarm system at the same time each week and to test different detectors or call points each time, merely testing the sounders from the panel is not sufficient. All tests should be recorded in a log for the property, available to residents and enforcement officers.
- 4.29.1 Daily Checks by Occupiers
- ensure escape route is kept clear
 - check fire alarm panel
 - record any false alarms

- check log book

4.29.2 Weekly tests by Manager/Landlord

- test fire alarm by operating a manual call point (alternate each week)
- check sounder audibility
- check extinguishers and fire blankets
- log actions
- check log book

4.29.3 Monthly tests

- energise and test emergency lights
- visual check of alarm system batteries
- check all fire doors

4.29.4 Annual test

- undertake full service and test by fire safety engineer, provide test certificate for alarm system including tests of all call points, detector heads and sounders, emergency lighting (discharge test) and fire fighting equipment.

Signage and Notices

- 4.30 A sign with the words '*Fire Door Keep Shut*' should be displayed on any fire doors.
- 4.31 A sign with the words '*Fire Door Keep Locked*' should be displayed on doors to cupboards, stores, boiler rooms or meters.
- 4.32 A sign with the words '*Fire escape Keep Clear*' should be displayed on doors on the escape route.
- 4.33 Additional illuminated directional signage should be provided where the escape route is complicated or difficult to locate. In larger HMO premises fire action notices should be displayed on escape routes.
- 4.34 Fire fighting equipment which is obscured from view should be indicated with a sign.
- 4.35 Where fire safety signs are provided they should be in accordance with BS 5499 and the Health and Safety (Safety signs and signals) Regulations 1996

- 4.36 To comply directional signs must be pictographic. The pictogram can be supplemented by text to make the sign easily understood, but it cannot contain only text. ‘Pictogram only’ and ‘pictogram with text’ sign types should not be mixed in the same premises

5. HMO AMENITY AND SPACE STANDARDS

- 5.1 These standards are distinct from any overcrowding standard that exists or may be introduced under Housing legislation.

Bedrooms

- 5.2 Floor areas for bedrooms (rooms used for sleeping) are listed below, rooms must have adequate ceiling height of minimum 2.1m and be of adequate size and shape to accommodate necessary furniture and facilities. The minimum size for a bedroom to be let to an adult is 6.5 m² (70 sq. feet) but in all cases rooms must be safe and fit for their purpose.

	Separate kitchen, bathroom and lounge	Separate kitchen no bathroom, lounge	Rooms with kitchen facilities
Single Room	6.5 m ²	8 m ²	11 m ²
Double Room	10 m ²	12 m ²	14 m ²

- 5.3 No two persons of the opposite sex, aged 11 or more, shall share a bedroom unless they are both adults who are married or co-habiting.
- 5.4 All bedrooms must have a glazed window to the open air not less than 10% of the floor area with at least one opening casement. The walls floor and ceiling must be of permanent construction with solid door entrance, occupation of other parts of the house for sleeping purposes is not permitted. Each bedroom to have a minimum of one switched light and two power socket outlets.

Kitchens

- 5.5 One kitchen to be provided per 5 adult occupiers or a separate kitchen within individual units.
- 5.6 Larger communal kitchens must provide equivalent sufficient amenities. Kitchens to be available for the exclusive use of the house occupants and be located no more than two floors distant from users bedrooms.

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- 5.7 All surfaces to be readily cleansable with splash back to be provided at sinks. Floor covering to be non-slip and readily cleansable.
- 5.8 A suitable sized sink and drainer supplied with mains pressure cold water and piped hot water. Wash hand basins are not acceptable in place of sinks.
- 5.9 A suitable sized cooking appliance located in such a position so that its use is unobstructed. Bedsit rooms with individual kitchens may be provided with a two-ring hob and oven, for up to two people. A minimum of a four-ring hob, one oven and one grill is considered suitable for up to five persons.
- 5.10 Provide within the kitchen impervious worktop of suitable size for the preparation of food and a suitable number and volume of storage units and a suitably sized fridge and freezer.
- 5.11 Provide within the kitchen a 150mm electrical extractor fan or a glazed window, to the open air, not less than 10% of the floor area with at least one opening casement. In addition permanent ventilation to be provided and connected where a tumble dryer is provided.
- 5.12 Kitchen areas to have a suitable number of lights and power outlets with a minimum of one switched light and three twin power socket outlets.

Bathroom and WC

- 5.13 Bathrooms and WC's to be available for the exclusive use of the house occupants.
- 5.14 Provide one proprietary bath or shower with permanent piped supply of hot and cold water per five occupants, not located more than 20m travel distance, from bedrooms.
- 5.15 Bathrooms to be of adequate size to allow for drying and changing.
- 5.16 Provide within each bathroom a 100mm electrical extractor fan or a glazed window, to the open air, not less than 10% of the floor area with at least one opening casement.
- 5.17 Provide one WC per five occupants, not located more than 20m-travel distance from bedroom, and wash hand basin with permanent piped supply of hot and cold water.
- 5.18 Floor covering to WC's and bathrooms to be non-slip and readily cleansable.
- 5.19 Each bathroom to have one pull cord switched light, power outlets are not permitted.

- 5.20 External WC's and bathrooms are not permitted.
- 5.21 Windows to bathrooms and WC's shall consist of obscure glazing.

6. HEATING AND INSULATION

- 6.1 All void roof spaces to be insulated to a minimum of 250mm-thickness mineral wool or equivalent. Cavity walls to be insulated with mineral wool cavity slab, thermal insulation board, blown mineral wool or polystyrene beads. Sloping ceilings to habitable rooms to be insulated with blown mineral wool or thermal insulation board.
- 6.2 A system of suitable and sufficient heating to be provided to all rooms and circulation areas. The system shall be capable of heating rooms to 18 ° centigrade when the outside temperature is -1 ° centigrade. Heating systems to comprise of either an energy efficient wet system with radiators or energy efficient storage heaters.
- 6.3 Electrical heaters such as fans and convector heaters can be used in small rooms such as WC's but must be splash proof and permanently fixed in a suitable safe location.

7. FURNITURE AND APPLIANCES

- 7.1 All furniture in the house whether supplied by the Landlord or otherwise must be in clean condition and good repair, divan bases and mattresses must comply with BS 7177 and other soft furnishings with Furniture and Furnishing (Fire Safety) Regulations 1988.
- 7.2 All non-fixed electrical appliances in the house must be properly wired with a three-pin plug and routinely inspected for damage or faults.

8. MANAGEMENT

- 8.1 A reliable system of management shall be in place to ensure the repair, cleansing and maintenance of kitchens, bathrooms, WC's, circulation areas, staircases and outbuildings.
- 8.2 All means of escape from fire in the house and all fire safety installations and fire fighting equipment are in and are maintained in good order and repair and are kept free from obstruction at all times.
- 8.3 Commission a competent engineer to undertake an annual service of fire alarm systems, emergency lighting and fire fighting equipment and provide annual safety certificate.

General Requirements

- 8.4 Ensure that services including the supply of hot and cold water, gas, electricity, heating and lighting are maintained in good order and repair.
- 8.5 Keep electrical appliances and furniture in a safe condition. Commission an approved contractor to undertake a fixed electrical safety check every five years.
- 8.6 Commission a competent engineer to undertake an annual service of all oil or gas (if any) appliances in the building. Forward a copy of the annual safety certificate, for each appliance, to the Council. (OFTEC oil) (CORGI gas)
- 8.7 Commission an inspection by NICEIC or other approved engineer on the fixed electrical wiring system every five years, provide a safety test certificate for compliance with wiring regulations BS 7671:2001.
- 8.8 All circulation and common areas including shared amenities, passageways, yards and staircases shall be adequately lit by switched electrical lights.
- 8.9 Provide suitable and adequate refuse receptacles and ensure suitable arrangements are made for proper collection of refuse. The manager shall ensure that refuse and litter from the house are not allowed to accumulate in or around the property.
- 8.10 The manager shall provide a suitable system for occupiers to notify problems, repairs and contact details in case of emergencies.

9.0 ENFORCEMENT AND ADVICE

- 9.1 The main emphasis of our enforcement role will be based on education, and advice. This will be made available through information leaflets, the Council website and direct advice available over the telephone or in person from the Private Sector Housing Team and the local Fire Officer.
- 9.2 We shall also provide financial assistance, through the Private Sector Housing Assistance Policy, for works to bring the property up to the Decent Homes Standard where this is above and beyond statutory legal requirements.
- 9.3 Where Landlords are not co-operative in achieving the statutory standards we shall, where appropriate, take formal action under the relevant provisions contained in the Housing Acts.

10.0 AREAS OF ENFORCEMENT

- 10.1 The Housing Act 2004 provides under the HHSRS facilities for improving fire safety in any domestic dwelling including houses, flats and HMO's.
- 10.2 The Hereford & Worcester Fire and Rescue Service provide consultation and technical support for fire safety in HMO's.
- 10.3 Fire Authorities also have powers under The Regulatory Reform (Fire Safety) Order 2005 and although this does not apply to private dwellings it can be used for common areas in HMO's, purpose built flats and workplace accommodation.