

REPORT TO: SCRUTINY COMMITTEE – PEOPLE, EXECUTIVE, Council
DATE OF MEETING: 6th June 2019 and 11th June 2019
REPORT OF: Service Lead – Housing Tenancy Services
TITLE: Adoption of Hoarding in Council Properties Policy

Is this a key decision?

Yes

Is this an Executive or Council Function?

Executive

1. What is the report about?

This report sets out the draft policy in relation to Hoarding in council properties.

2. Recommendations:

That Members of Scrutiny Committee - People support and Executive recommends to Council to approve:

- 2.1** The adoption of the Hoarding in Council Properties Policy (set out in appendix a).

3. Reasons for the recommendation:

- 3.1** Hoarding is becoming more of a prevalent issue in both the social and private housing sector and presents a number of risks, these include:

- A number of fire risks such as the increased the risk of a fire in property as the materials hoarded are often highly flammable and can impede the Fire and Rescue Service particularly when the material blocks doors and windows
- it increases the risk of accident and harm to the tenant and any other households members
- it can compromise the health and safety of neighbours and the wider community. This is especially the case where the tenant occupies a flat and/or where the material hoarded encourages infestations of mice or insects
- it can lead to increased repairs and structural damage to properties (as tenants will often neglect the property, not report repairs or allow access to the property)
- it causes significant costs in terms of management and clearance/repairs to the property once vacated.

- 3.2** Hoarding can be a complex area of work and under the Equality Act 2010 people who hoard or clutter would be considered to have a protected characteristic and is a recognised mental illness.

- 3.3** Having a hoarding policy will give officers clear guidelines of how they are to approach this challenging area of work.

4. What are the resource implications including non financial resources

4.1 There are no resource implications as this would be part of tenancy management work carried out by the housing officers.

5. Section 151 Officer comments:

5.1 There are no financial implications for Council to consider.

6. What are the legal aspects?

The Policy makes clear that where the Council has not been successful in working with the tenant to effect the necessary changes in behaviour, the Housing Service will take appropriate enforcement action in connection with any breaches of the tenancy agreement. Ultimately this may result in the Tenant losing their home.

7. Monitoring Officers comments:

This report raises no issues for the Monitoring Officer.

8. Report Details:

8.1 Whilst carrying out regular property and tenancy inspections of our council properties Housing Officers have identified hoarding to various degrees in a number of properties. There are currently 48 live cases where we are still addressing the issue with the tenant. Of these 6 are assessed as having significant levels of hoarding where intense housing management is ongoing.

8.2 Many people collect items at some point or even throughout their lives. However, there are a percentage of people for whom collecting becomes an unmanageable pattern of behaviour. Hoarding disorder is a recognised mental health problem. It occurs where a person's pattern of collecting items becomes excessive and unmanageable, impacting on their daily life and social activities. Approximately 2 to 5 percent of the UK's adult population may be hoarders. Hoarding behaviour does not favour a particular gender, age, ethnic background, socio-economic status, educational/occupational history or tenure.

8.3 Compulsive hoarding occurs when:

- a person acquires items excessively
- they are unable to dispose of these items, which may have little meaning or value to others
- the items are stored chaotically and clutter rooms, so they cannot be used effectively for their intended purpose
- this impacts negatively on the person (physically and psychologically)

8.4 Hoarding can be exhibited by people who have other issues that might make them vulnerable, for example anxiety, depression or obsessive compulsive disorders, or it can follow on from a traumatic experience.

8.5 People who hoard can:

- show an unusual and strong emotional connection with material things
- have difficulty in organising or prioritising items
- experience anxiety or distress at getting rid of items

- 8.6 The impact of hoarding can create significant management problems and requires long term input and support in order to resolve effectively. It is best approached through multi-agency working because of the potential impact for the wider community and other public services. Action is needed to both ensure the safety and wellbeing of the tenant and to secure the long term condition of the home.

Hoarding poses a number of risks as set out in 3.1 of this report.

- 8.7 Through our regular property visits and tenancy inspections the Council has been able to reduce the risk as we are aware of the properties where hoarding occurs and officers taking proactive steps to address. There is also an agreement with the fire service for their safeguarding officer to visit properties we identify as there being a risk and take steps to reduce these (additional smoke alarms for example).
- 8.8 Active intervention to enter a property and make safe is likely to be required where the hoarding includes food stuff, waste or animals to a degree that poses a statutory nuisance or health and safety risk. However, taking only an enforcement approach does not directly help the tenant; instead it is likely to exacerbate their anxiety and distress leading to continued and increased hoarding, a lack of trust and engagement with housing staff in the future. Ideally we would develop a person-centred approach that helps the tenant to identify and understand and change unhelpful patterns of thoughts and behaviour that's leads them to hoard. In a recent report the Chartered Institute of Housing believe this is likely have a long term beneficial impact for the tenant and help prevent or reduce hoarding in the future. Although this can be resource intensive it delivers benefits including costs by reducing the number of repairs, clearance costs and other additional work required when the property becomes empty.
- 8.9 As the housing provider the Council is the agency with the most significant investment in the property apart from the tenant and it is important that we play a key role of addressing serious hoarding in our properties. We will look to continue to develop our in house expertise for housing officers to address hoarding and raise awareness for all staff who come into contact with tenants in their homes including contractors. It may be that the complexities of a case require the use of specialists organisations when it comes to serious hoarding. The council currently uses a professional organisation in the most extreme cases along with other support agencies.
- 8.10 The Hoarding policy sets out how we use this policy in conjunction with other key polices such as the Anti-social Behaviour and Safeguarding Policy. A more detailed procedure and guidance will be provided for housing officers in order to equip them to tackle cases of hoarding.
- 8.11 This Policy has been written in line with good practice and current relevant legislation. Unless there any changes to such legislation beforehand, the Policy will be reviewed every three years.
- 8.12 This policy is supported by a procedure for officers which is attached to this report as appendix b. With the escalation process and management of

hoarding issues we have avoided being overly prescriptive on when specific action is taken and refer more to the actions we can take. This is because different circumstances requiring us to be flexible in our approach. In making our decisions a lot would depend on the level of clutter, circumstances of the tenant and type of property (flat or house etc.).

If we were to escalate having to use legal actions to either remove the items or repossess the property this would require a court order and we are reliant on the courts to agree this sanction. As both the policy and procedure state hoarding at its extreme level is considered a mental health issue and therefore the tenant has protected characteristics. This needs to have been taken into account when considering our approach. It is likely a judge would have expected us to have offered significant levels of support and even moved the tenant to another property to reduce the risk before taking any other action more punitive action.

9. How does the decision contribute to the Council's corporate plan?

- 9.1 The content of this report is consistent with the following corporate objective of providing high quality, value for money services, being a well-run council and building great neighbourhoods.

10. What risks are there and how can they be reduced?

- 10.1 It is essential that officers of the housing team have clear guidelines and an understanding of how to tackle issues of hoarding in our properties. The greater risks are listed in 3.2 of this report. The introduction of this policy will reduce the risks.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

Please refer to appendix c the Equality Impact Assessment.

12. Are there any other options?

- 12.1 It would be possible to rely on the anti-social behaviour policy to deal with matters relating to hoarding. However, this would not allow for a more flexible and solution based approach to effectively tackle hoarding. Also if possible this would allow tenants to remain in their home as long as they can adhere to the terms and conditions of the tenancy agreement.

Service Lead – Housing Tenancy Services

Local Government (Access to Information) Act 1972 (as amended)
Background papers used in compiling this report:-

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