



## Hoarding Policy

This Policy was produced in 2024 and is version 3.00

This Policy was adopted by Cabinet on xxxx

MDH will review this Policy every 5 years and as required to address legislative, regulatory, best practice or operational issues. However the Head of Housing and Health is given delegated authority to make minor amendments to the Policy as required by legislative changes, formal guidance or local operational considerations.

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## 1 Introduction

- 1.1 This Policy outlines Mid Devon Housing's (MDH), approach to identifying and dealing with issues of hoarding and clutter in MDH properties.
- 1.2 People will often collect items at some point throughout their life, however, there is a percentage of people for whom collecting becomes an unmanageable pattern of behaviour.
- 1.3 Hoarding is a recognised mental health problem.
- 1.4 Definition of Hoarding Disorder
- 1.5 Hoarding disorder was added to the ICD-11 (International Classification of Diseases – 11<sup>th</sup> Revision) in 2018. The 11<sup>th</sup> edition of the ICD states that “hoarding disorder is characterised by accumulation of possessions due to excessive acquisition of or difficulty discarding possessions, regardless of their actual value”.
- 1.6 People who hoard may also self-neglect as they are unable to access facilities but it is recognised that self-neglect is not a concern for all those that hoard. People who hoard experience distress or difficulty living in their environment because of the following:
  - Acquiring possessions
  - Restricted use of living spaces because they are so full of objects
  - Getting rid of possessions causes distress or is simply not possible, even when they no longer seem to be needed, are no longer useful or are causing real problems because of taking up too much space
- 1.7 Failure to identify and address hoarding carries a number of risks:
  - An increased risk of fire in the property and the possibility of the fire spreading to neighbouring properties
  - Fire and Rescue services can be impeded by the amount of items kept in the property
  - An increased risk of accident or harm to the tenant or household members
  - Difficulty for Housing Officers to carry out inspections or complete safety checks
  - An increased risk of repairs in the property including damp and mould issues
  - An increase in management costs due to household clearance and any repairs to the property
  - An increased risk of vermin infestation, both in the property and to adjoining properties

- 1.8 For the reasons set out above, preventative measures must be put in place to reduce the health and safety risks to the tenant and others, as well as reduce neglect and/or damage to the property. Where MDH is not successful in working with the tenant to encourage and adopt changes in behaviour, MDH will take appropriate enforcement actions in connection with any breaches of the tenancy agreement.

## 2 Aims and Objectives

- 2.1 The aim of the Policy is to set out the approach to hoarding by MDH tenants and has the following objectives:
- To take action to stop hoarding as quickly and effectively as possible.
  - To take a balanced approach using a combination of measures including support, prevention, early intervention, and enforcement.
  - To provide a pro-active approach in the management of casework.
  - To treat those who hoard and those affected by hoarding with tact and sensitivity.
- 2.2 The objective of the Policy is to provide clear guidance to Officers and tenants on the steps and process to be taken when cases of hoarding have been identified.

## 3 Regulatory Framework and Context

- 3.1 The Social Housing (Regulation) Act 2023 has impacted the regulatory framework for social housing and introduced a new proactive, consumer regulation regime focussed on meeting the needs of tenants. One aim of the legislation and regime is to ensure that providers of social housing, such as the Council, keep its properties and estates safe and clean.
- 3.2 The Regulator of Social Housing (RSH) adopts a co-regulatory approach and regards councillors as responsible for ensuring that providers' businesses are managed effectively and that providers comply with all regulatory requirements.
- 3.3 As part of ensuring the wider safety of tenants in the design and delivery of landlord services, registered providers should have an effective approach to proactively identifying the risks to tenants' safety and eliminating or mitigating those risks.
- 3.4 As part of the new consumer regulation regime, from April 2023, the RSH introduced a series of 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These measure include those applicable directly to building safety as well as those based on tenant perception surveys setting out tenants views on performance which will include responsible neighbourhood management.

3.5 The TSMs considered under the Hoarding Policy include:

- TP01 - Overall satisfaction
- TP08 - Agreement that the landlord treats tenants fairly and with respect
- TP09 - Satisfaction with the landlord's approach to handling of complaints
- TP11 - Satisfaction that the landlord makes a positive contribution to neighbourhoods

3.6 The following Policies are related to this Policy:

- MDH Anti-social Behaviour Policy & Procedures
- MDH Tenancy Management Policy
- Corporate Health and Safety Policy
- MDH Vulnerability Policy
- Corporate Housing Assistance Policy

## 4 Tenancy Management

4.1 MDH has operational staff that visit tenants and their households, at home. Officers are required to identify any issues that arise when properties are cluttered or are being used to hoard large amounts of possessions or animals and report them to the relevant Neighbourhood Officer.

4.2 In extreme cases, piles of clutter can become a health and safety risk and can result in trips, slips and falls. If the home is difficult to clean, living conditions can be unhygienic and can lead to rodent or insect infestations, blocked drains and other problems that may also affect neighbouring properties. Officers will identify any risks to the tenant, their household, visitors or neighbouring properties and take appropriate action in accordance with the severity of the risk.

4.3 Issues with hoarding/clutter can generate complaints of anti-social behaviour. These will be dealt with in line with MDH's Anti-social Behaviour Policy and Procedures. Complaints may include those relating to untidy gardens, unwelcome odours from the property or infestation of vermin.

4.4 MDH is likely to become aware of hoarding/clutter issues:-

- During routine planned maintenance works due to the property (gas/electrical checks or property upgrades)
- When complaints of anti-social behaviour are received; for example, those concerning the presence of vermin or clutter in outside spaces

- When reports of welfare concerns from family members or neighbours are received
  - During Tenancy Home Checks
  - When receiving reports from other agencies involved with the tenant
- 4.5 When an issue has been identified the Neighbourhood Officer will regularly visit the property and will put together an action plan and risk assessment to work with the tenant to reduce the hoarding issues and to address any health and safety concerns. We understand that it may be a slow process in reducing belongings or items from the property.

## 5 Action Plans

5.1 Neighbourhood Officers will agree action plans with tenants which should be realistic, proportionate and tailored to the individual tenant, taking into account the following factors:

- The tenant's mental or physical condition and their ability to carry out the work;
- The severity of the condition of the tenant's property;
- The risk of serious harm or accident as a result of the condition of the property;
- Resources of support agencies involved with the tenant;
- Referrals to agencies to support the tenant.

5.2 Action plans will contain an initial risk assessment but this may be altered as the hoard is addressed.

5.3 Action plans should be agreed with the tenant wherever possible. If a tenant will not engage with an action plan MDH may use legal action e.g. obtaining an injunction, demotion of the tenancy or possession of the property.

5.4 The 'clutter scale' is key to the hoarding process as it measures the severity of the hoarding and its impact on a person's life. Monitoring and regular visits should take place based on the clutter scale to review the progress of the action plan. The action plan should be confirmed in writing to the tenant:

- Clutter Scales 1, 2 or 3 do not normally require intervention from MDH but could be monitored to ensure that the situation does not escalate.
- Clutter Scales 4 and above will receive regular visits which is dependent on the severity of the hoard, the engagement of the tenant and their support network. Neighbourhood Officers will decide the frequency of the visits.

## 6 Multi Agency Working

- 6.1 It is recognised that it may be necessary to involve a range of agencies to play a part in trying to reduce hoarding issues and ultimately to improve the quality of life for the tenant and their household.
- 6.2 MDH will work with a range of agencies such as Social Services, Community Mental Health Teams, the Fire Service, Environmental Service and family members. It is worth noting that the limited capacity of some of these services may impact on our ability to meet our on timescales.
- 6.3 Where family and friends are already involved, and willing to co-operate, we encourage their assistance, however in doing this we will always comply with data protection principles. Our priority is to engage with the tenant wherever possible.
- 6.4 Where the tenant is already engaging with a support service, we will try to work alongside this existing arrangement. This is important where the hoarder already has an established relationship as hoarders can at times be mistrustful of new services.
- 6.5 Where the support is offered but refused, it is important that this is noted as this may be required as evidence later if legal action is required.
- 6.6 A referral should be made to the Fire Service where it is believed that a tenant could be vulnerable to fire and ask that a fire safety visit is made.
- 6.7 Where there is a concern about the tenant's wellbeing, the Neighbourhood Officer will encourage the tenant to speak to their GP.
- 6.8 The Neighbourhood Officer can refer the tenant to Care Direct or Adult Social Care if necessary and there are safeguarding concerns. This generally requires consent of the person being referred, unless they lack the capacity to consent, or there is an overriding duty of care.

## 7 Tenancy Enforcement

- 7.1 Enforcement action should only be considered where it is necessary in the circumstances of the case. Where there is a high risk of fire, enforcement action may begin earlier, but we will continue to try and work with the tenant during this period of the time.
- 7.2 Enforcement action may include:
  - Applying for an injunction
  - Taking possession proceedings

- Applying for a Closure Order
- Demotion of the tenancy

7.3 If a possession order is obtained at Court it may say that possession is not to be enforced providing that the tenant complied with certain conditions within a given time frame, for example allowing MDH access to the property or improve the condition of the property. If the tenant does not comply with the conditions in accordance with the order, MDH may then seek to enforce the order and apply to Court for a warrant of possession.

## 8 Additional Support

8.1 If you need help or are concerned for someone's safety and wellbeing please use the following contact details for key services and organisations that may be able to help.

- [Devon Safeguarding Adults Partnership.](#)
- [The Hoarding Ice-Breaker Form](#) empowers people whose health, wellbeing or safety has been adversely affected by hoarding to start a conversation with a medical professional
- [Devon and Somerset Fire and Rescue Service](#) offer free home safety visits and can often install free smoke alarms and specialist equipment to help residents keep safe in their own homes
- [Hoarding disorder - NHS.](#)
- [Hoarding UK](#) provides information, support for hoarders and agencies, including local support groups.
- [Help for Hoarders](#) provides information, support and advice for hoarders and their families, including online support forums
- Mid Devon Environmental Health Services, [please contact us](#) or call 01884 255255
- [The Association of Professional De-clutterers & Organisers \(UK\)](#) are a professional network of those in the de-cluttering and organising industry.
- [Change your Space - Organising and Decluttering in Devon & Somerset](#)
- [Your Sorted Nest](#)



- 8.2 Mid Devon District Council's Healthy Homes is not available to MDH Housing Tenants. Please refer to [Housing Assistance Policy 2022-2025](#). Public Health may investigate filthy and verminous properties with a view to taking enforcement action if needed.

## 9 Complaints

- 9.1 MDH tries to get things right the first time and when it does, it would love people to let it know. It's great for MDH to receive positive comments or feedback, so if people wish to complement MDH staff for doing a great job, the Council would love to hear from them.

- 9.2 If things do go wrong the Council is committed to:

- Dealing with complaints and comments quickly and effectively; and
- Using complaints, comments and compliments to review and improve its services

- 9.3 When tenants contact MDH to tell it they are dissatisfied with the service provided, the Council will offer them the choice to have an informal conversation to see if things can be put right quickly, without the need for a formal investigation.

- 9.4 The Housing Ombudsman Service advise that a complaint must be defined as:

*'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents'.*

- 9.5 Where a tenant considers that the Council has given a poor service or has got something wrong, they may tell a member of staff in the first instance. This does not need to be treated as a formal complaint (unless the complainant asks the Council to do so) and may be resolved 'there and then' by way of an apology or plan of action. Any comments provided will be used to take appropriate action, or give information.

- 9.6 If a tenant does not want to do this or is unhappy with the response, they may make a formal complaint, which can escalate from stage 1 or stage 2 if they are still not satisfied with the response. Having been through stages 1 and 2 and if they are still not satisfied, the tenant may contact the Housing Ombudsman Service.

- 9.7 MDH's complaints procedure is detailed on Mid Devon District Council website: [Feedback and Complaints](#)

## 10 Equality Impact Assessments

- 10.1 MDH completes an equality impact assessment each time it develops or reviews a policy, procedure or service. The assessment is to help make sure decision making is fair and does not present any barriers or disadvantage to customers from any protected group (including disability) under the Equality Act 2010.